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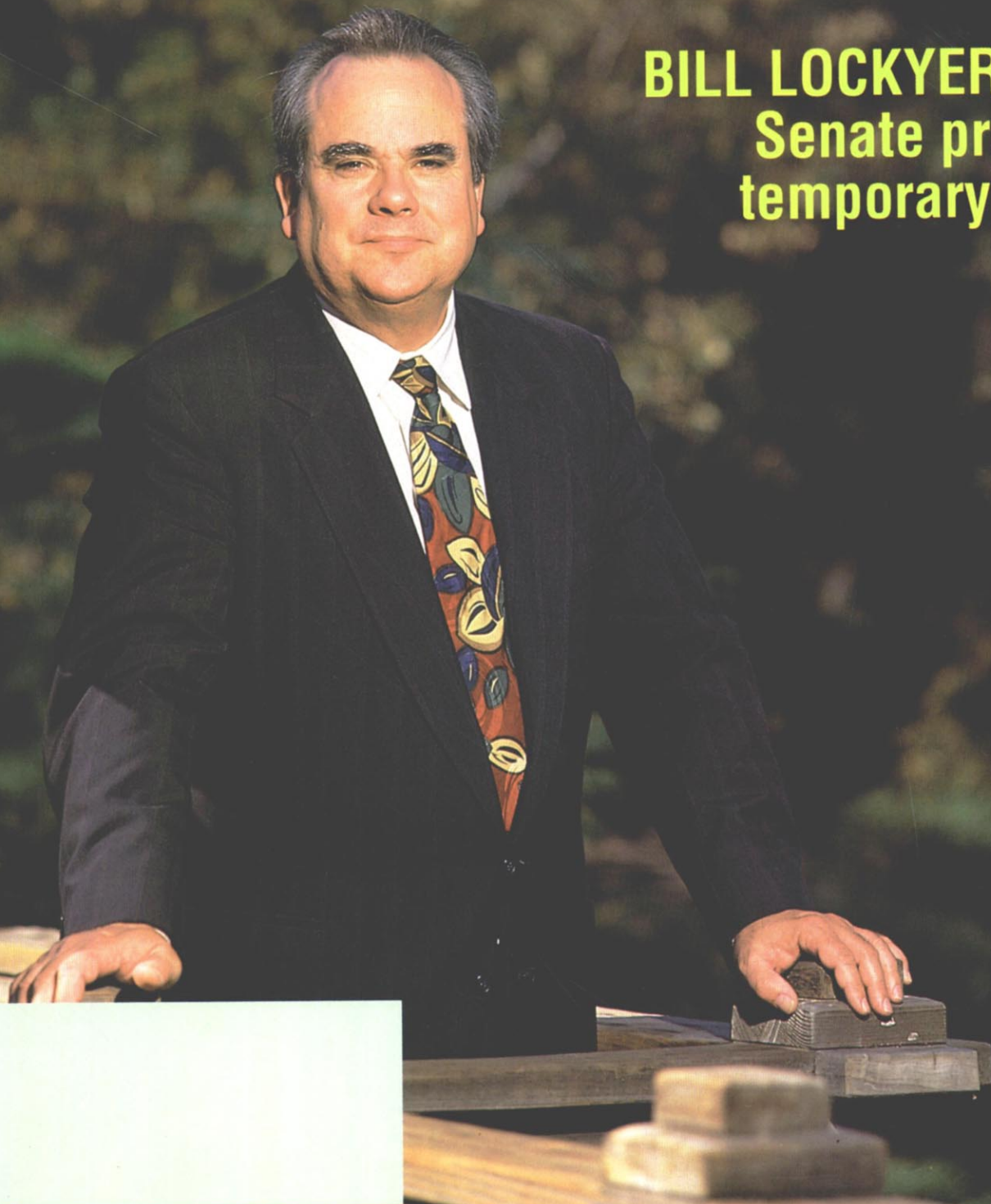
November 1994 \$3.95

California

JOURNAL

Independent analysis of politics and government

**BILL LOCKYER:
Senate pro
temporary?**



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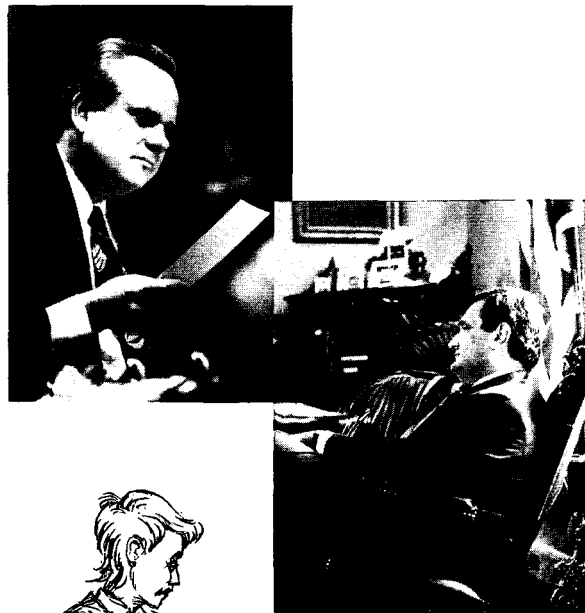
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Up Front

UMBRAGE

Country talk. During the final days of floor debate in the Assembly, the speaker imposed rules that limited debate — two proponents and two opponents, period. But on a bill banning police departments from selling seized weapons, Assemblyman Trice Harvey (R-Bakersfield) and another opponent had already spoken against the bill when Assemblyman Richard Mountjoy (R-Monrovia) delivered yet another speech against the it. Speaker Willie Brown Jr. (D-San Francisco) then admonished Mountjoy that he had just broken the rules. Ever quick with a retort, Mountjoy replied, “I just gave Trice Harvey’s speech again. I didn’t think we could understand it.” Subsequently, on two occasions, Harvey prefaced his floor debate by saying, “I’m gonna speak real slowly so all you city folk can understand.”

The new commish? As the Ken Burns PBS documentary “Baseball” indicated, the sport and business of baseball has ebbed and flowed in much the same manner as the game itself. Since it first organized in the 1850s, the health of baseball has dramatically fluctuated between robust and frail. But each time the game began to sink, some individual ambled onto the scene to resurrect it. After the “Black Sox” scandal of 1919, it was Babe Ruth. In 1947, it was Branch Rickey and Jackie Robinson. And now? With long-simmering labor troubles having exploded into a players’ strike that threatens the very fabric of the game, the universe looks to a new messiah — someone so dynamic, so electric, so politically astute that by force of personality he or she can resurrect the entire sport. Enter: Willie Brown Jr. According to the speaker, who, after all, will be out of work in two years, the strike that cancelled the 1994 playoffs and World Series could be settled easily. His solution: just apply the same kind of political maneuvering that Brown has applied to the Assembly. “The idea,” Brown told *Sacramento Bee* sports columnist R.E. Graswich, “is to move the majority of owners to the middle, then isolate the remaining four or six who have no

intention of resolving the conflict. There will always be a small group that is committed to creating havoc. The more reasonable members will try to bring them into line. You have to make it clear you intend to move on without them.” Brown also said he would use outside pressure — lawsuits and the creation of a rival league — to pressure owners into accepting an imperial commissioner with total power over the game. Imperial commissioner? Let’s see, who might fill that bill...

Junkyard dog. If we were going to award a “junkyard dog of the year” for this election season, the paws-down frontrunner would be Phil Angelides, Democratic candidate for state treasurer. Angelides’ slash-and-burn style of campaigning first surfaced in the Democratic primary when his camp ran television ads that virtually accused his opponent, Senator David Roberti (D-Van Nuys), of condoning the killing of an abortion doctor by a pro-life nut. Roberti, a Catholic, opposes abortion on religious grounds. Now, Angelides is bringing that same brand of boorishness to his general-election tussle with Republican Matt Fong, a member of the Board of Equalization. Last month, Angelides’ campaign sent reporters two gifts: a bag of golf tees and a bubble-bag-wrapped ashtray, complete with a Marlboro butt. The tees referred to an Angelides charge that Fong has played golf on state time. The ashtray bore the inscription “Matt Fong’s business experience,” a reference to the fact that Fong once sold ashtrays. Angelides, it seems, can’t seem to find a dignified way to make a point. His first instinct, in fact, is a 2-by-4 to the frontal lobe. This campaign season has been remarkable for its volume of white noise as candidates for every office deal in the main with the inconsequential, the trivial, the irrelevant. Now comes Angelides, ringing a slime-coated cowbell to add to the clatter.

Mikey’s millions. The Huffingtons, Mike and Arianna, firmly believe that the country ought to do away with welfare. And what about all

those folks who depend on government largesse for the basics? Private charity would pick up the slack, say the Huffingtons, whose own slack was picked up by Michael’s father — an oil mega-millionaire. Still, it’s instructive when the Huffingtons themselves release a partial list of slack-picker-uppers to whom they have given parts of Michael’s fortune. Let’s see. There was \$1 million to build a library at his old prep school, Culver Military Academy in northern Indiana. And another \$1 million to help restore an Episcopal church in New York City. And there was 100 grand to the Los Angeles Music Center; and 100 grand for scholarships at UC-Santa Barbara; and 100 grand to the Greek Orthodox Church; and 25 grand to that well-known charity-for-the-poor, the Aspen Institute; and five grand each to the Klaas Foundation, San Luis Obispo County Performing Arts Center and American Red Cross. And, of course, there’s Michael’s annual \$133,600 congressional salary, which went to groups in Santa Barbara and San Luis Obispo counties that were started by Arianna and that provide dental care for local poor kids. So, that’s roughly \$2,607,200 — give or take loose change. Of that amount, \$372,200 — or 14 percent — went to groups that tend to the needy and might help offset the demise of welfare (including, for the benefit of the doubt, the UC-Santa Barbara scholarships).

Mean streets. Seems that in the race for the 11th Congressional District, crime is more than just a campaign issue. Democrat Randy Perry, who is challenging incumbent Richard Pombo (R-Stockton), and campaign manager Tony Corbo were walking precincts in Stockton on a recent evening when they came upon a stabbing victim, the perpetrator in flight. Seeing the chance to help — or perhaps seeing a campaign opportunity? — the two chased down the attacker in their car, where they called 911. Police intercepted and arrested the suspect minutes later. If nothing else, the incident gives Perry’s tough-on-crime rhetoric some teeth. A peace officer lobbyist, Perry doesn’t

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typically see crimes in progress from where he sits in Sacramento. Well, at least not stabbings.

Out of court settlement. Seen in Whittier recently: a lawn sign which read, "Divorce the incumbent, Marymee for State Assembly." It was put up by the campaign of James Marymee, a Norwalk Republican running in the 58th District. Despite the clever play on words, Marymee likely won't win the hand of area voters. District registration is 64 percent Democratic, only 26 percent Republican.

The newest toy. Politicians run for office only in a technical sense. What they really run for is the next cocktail party/fund raiser. So, what better investment for the budding pol than the \$149 it costs to buy a personalized breathalyzer? At least, that's the sales pitch of Marin Breath Analyzers of San Anselmo. "Every day," reads its promotional postcard, "100s of Californians are sent to jail for driving under the influence of alcohol. For a politician, the disgrace and bad publicity of a DUI can virtually end a campaign." MBA then offers, not a course in how to moderate drinking but the Pro Tech 1000A, a hand-held, "five-second, reliable and accurate, battery operated, factory calibrated" breath analyzer. The front of the promotional card features an array of newspaper clippings about pols and pols' aides having been hauled into court for drunk driving. "If you thought good press was expensive," the card warns, "just imagine how much this press can cost your campaign."

Bad taste award. Honor goes to the California Opportunity Society PAC in Sacramento and its front man, John Stoos. COSPAC is sponsoring what it calls the "David Roberti Memorial Dinner" — a Long Beach fund raiser to pump up the campaign treasury of Phil Hawkins, the Republican who is challenging incumbent Assemblyman Bob Eppele (D-Norwalk) in the 56th District. Now, there's nothing wrong with raising money to help beat Bob Eppele, or any incumbent. But the event is billed in "honor" of Roberti because sponsors — in reality, the gun lobby — consider the former pro tem "the godfather of political crime," and they promise to serve Italian food. The ethnic-bashing in this aside, it is one thing to take Roberti to task for pushing gun control;

it is another thing to accuse him of dishonesty. Roberti was betrayed by three of his lieutenants, who were convicted in federal court on corruption charges. But there is not one scintilla of evidence that Roberti condoned the activities of his minions, let alone participated in them (see story, page 9). And while we're on the subject of guilt by association, seems to us that one of Mr. Stoos' favorite legislators was former Assemblyman Pat Nolan (R-Glendale), snatched up in the same net that gathered in Roberti's former colleagues.

Both sides now. It is not unusual for one campaign or another to tout or flaunt *California Journal*'s biennial survey of the Legislature to praise or flail some incumbent lawmaker. But now, *both* sides in the 16th Senate District race have evoked the *CJ* rankings. Assemblyman Jim Costa (D-Fresno) struck first, saying that his opponent — Senator Phil Wyman (R-Tehachapi) — ranked dead last in the Senate in the "effectiveness" category, and nyah, nyah, nyah. Oh yeah? responded Wyman, who said that he did better in "integrity." In that category, Costa finished 72nd out of 78 assemblymembers included in the survey; Wyman, on the other hand, finished 27th out of 37 senators in integrity (see "The Minnies," *CJ*, March 1994).

Shermanesque. Who was the constitutional officer at the Southwest check-in booth the other evening in Sacramento, yelling at the agent that it didn't matter how close to take-off it was, he damn well better get on the flight? We wouldn't be so mean as to identify him as Brad Sherman. 🏠

"If you want to find a politician free of any influence, you can find Adolf Hitler, who made up his own mind."

— Eugene McCarthy

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. We pay up to \$25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 2101 K Street, Sacramento, CA 95816. Sorry, submissions cannot be returned.

TRANSITIONAL PRO TEM?

Bill Lockyer leads the Senate into the era of term limits

by Steve Scott

Earlier this year, as the state budget debate was approaching its end game, Bill Lockyer (D-Hayward) found himself in a familiar position: He was surrounded by reporters after a floor session. The rookie pro tem had just spent a fair bit of energy and time tamping down a fire that had erupted in the tension of the budget denouement. The battle was not the budget itself. Rather, it was an ugly public spat between Senators Dan McCorquodale (D-Modesto) and Steve Peace (D-Chula Vista). At one point, Peace, the Senate's loosest cannon, yelled across the floor that McCorquodale was "a nut case." When a reporter asked about the flap, Lockyer responded with a roll of the eyes that recalled similar expressions of exasperation one might have seen from his predecessor, David Roberti.

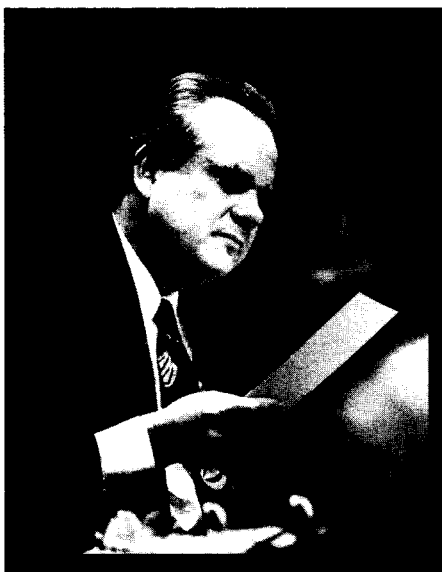
"When tensions arise in the Capitol," Lockyer shrugged, "these little blisters tend to arise."

There was a time in California political history when having both Peace and Lockyer in the same house would have been viewed as a sign of the coming Apocalypse. For much of his early career, Bill Lockyer didn't soothe blisters, he caused them. But times have changed, so much so that the 53-year-old Hayward Democrat has become only the third person in two decades to hold the post of president pro tempore of the Senate.

Lockyer's ascension comes at a time of great upheaval in the Legislature, and he faces challenges unimaginable to any of his predecessors. Term limits are likely to accelerate the arrival of bomb-throwers like Peace from the Assembly, where fiery partisanship is practically in the job description. Pressure will be on Lockyer to maintain the customary deliberativeness of the Senate while at the same time mollifying the more partisan members of his own caucus. Lockyer must also manage the surge of power and influence that most believe will flow into the Senate as a result of term limits, since the upper house will likely become the repository of the Legislature's institutional memory. On top of all that, Lockyer must also keep a check on his own partisan impulses, while at the same time following through on the one clear charge he's been given by his caucus: Keep the Democrats in power.

"David Roberti had a luxury Bill Lockyer will never have," observes Assembly Republican Leader Jim Brulte (R-Rancho Cucamonga). "Roberti had significant majorities to work with. Lockyer's strength or weaknesses will not be relational to his own abilities. It will relate to the solidification of his majority."

To the extent that Brulte is wrong, and ability is a factor,



the new pro tem certainly has the qualifications for leadership. For Lockyer, politics and the California Legislature has been, and remains, his life's work. Born in East Oakland in 1941, Lockyer grew up in the area he now represents, attending San Leandro High School. He earned a political science degree from UC-Berkeley, but his political activism was born not in the classroom, although as a participant in the Berkeley "Free Speech Movement" of the 1960s.

Already an activist in local Democratic circles, Lockyer worked for seven years as an aide to Assemblyman Robert Crown, and

when Crown died in 1973, won the special election to replace him, using what were, at the time, unusual techniques. "At that time, a massive lawn-sign campaign, and campaigning to the reduced universe of likely voters were revolutionary ideas," he recalls. Lockyer quickly established himself as a young man in a hurry, but when the speakership beckoned ambitious lawmakers in 1979, Lockyer was content to wait his turn.

"From my observation of the speakership, it seems that half of the time is taken up handling the egos of the place," he said at the time. "Up to now, I've been one of the ones that's needed a temper calmed."



Lockyer taking oath of office

When he moved over to the Senate in 1982, Lockyer found himself serving on, and eventually chairing, the powerful Judiciary Committee, even though he was still attending law school at night. When he took his bar exam, there was, he recalls, "considerable press interest: 'Will the chair of Judiciary pass the bar?'" He did, and established himself as a master at the insider game. Lockyer was one of those who negotiated the infamous "napkin deal" altering the state's liability laws, which was worked out among lawmakers and lobbyists at Frank Fat's restaurant two days before the end of the 1987 session. Lockyer, in fact, displayed the napkin on the floor of the Senate the night the bill was passed.

While working his way up the legislative ladder, Lockyer's policy reputation was of someone who liked to push big ideas. In the Assembly, Lockyer introduced the first legislation to promote the concept of "comparable worth" for traditionally female occupations. Four years before it became a political litmus test, Lockyer introduced the first three-strikes-you're-out law for serious felonies. He wrote the first "Lemon Law" protecting automobile purchasers, and was an early advocate of legislation to keep large companies from filing harassing lawsuits against citizens. Lockyer's policy direction is informed by what he calls his "philosophical and temperamental sympathy for the rebellion in life," but he hastens to add that he does not share what he considers the more naive aspects of classical liberalism. "I'm much more sensitive to matters of history, tradition, and community."

Still, this rebellious spirit may have played a role in the development of Lockyer's more widely-known reputation — the one for temperamental instability. Stories of Lockyer's emotional outbursts are the stuff of Capitol legend. Tales include criticizing Senator Diane Watson (D-Los Angeles) during a committee hearing for "mindless blather," a pass he



Lockyer with Ken Maddy

made at a UPI reporter which was followed by an attack on the "First Amendment scumbags" in the media, and a 1990 scuffle with a trial lawyer lobbyist whom he said threw "a girlie punch" at him. While still in the Assembly, Lockyer was threatened with arrest by Senator Alfred Alquist (D-San Jose) when he refused to leave a hearing room after Alquist had snubbed one of his bills.

Although he concedes this reputation is "part of my baggage," Lockyer insists such behavior is in the past, and that his detractors have to go back several years to find truly erratic behavior. "I think he has worked hard to get [his temper] under control," said Senator Robert Presley (D-Riverside). "It's a moot concern if you get it under control."

A "kinder and gentler" Lockyer was well positioned to step into leadership, and when the term-limited Roberti let it be known that he was going to run for statewide office, Lockyer immediately began lining up the votes to become pro tem. By getting out ahead of the curve, Lockyer insists he was able to get the votes he needed without making cutting individual deals for chairmanships or staff. Still, his mere acceptance of the job implied one huge promise to his Democratic colleagues: Don't lose control of the Senate.

After he took over for Roberti in late January, Lockyer moved to assuage early concerns that his

leadership would be more partisan than Roberti's. Senate Minority Leader Ken Maddy (R-Fresno), who had been one of the early skeptics about Lockyer's ability to tone down the partisanship, says he was satisfied with Lockyer's evenhandedness in his first session. "He has tried very hard to accommodate everyone in the Senate, particularly the minority party," concedes Maddy. "He has attempted to keep most things status quo." Lockyer's handling of his first budget negotiations earned him points for being tough, but practical, and his more mercurial tendencies remained firmly in remission.

"He has been in total control of himself since the word go," says Senator Leroy Greene (D-Sacramento). "It was a relief to some of us who thought 'well, he's OK now, but what happens if he blows?' He didn't blow."

Keeping the Senate's traditional decorum intact didn't mean, however, that Lockyer had turned the house over to the GOP. As Roberti had during his first session as pro tem, Lockyer used the Senate's confirmation authority as a tool to establish his political *bona fides*. Two of Governor Pete Wilson's appointments — one to the UC Regents, the other to the CSU Board of Trustees — were shot down by Lockyer through his position as the chairman of the Senate Rules Committee. It was the first time in 111 years that a UC Regent

appointment had been rejected by the Senate. While he kept the Senate from dissolving into a circus during the budget, Lockyer did engineer a show vote on an extension of a 1991 tax hike on the wealthy, and he says he was the only one of the "Big Five" who didn't want to "just get through the year."

Although he didn't make any wholesale changes, Lockyer is taking steps to put his own stamp on the administration of the house. His most controversial administrative step to date has been his decision to appoint the next session's committee chairs on the last day of this year's session. Lockyer moved some existing chairs into new roles, and elevated a number of less-tenured members into prominence. He also proposed creation of a separate Criminal Procedure Committee, comparable to the Assembly's Public Safety Committee, to take some of Judiciary's crime load.

Republicans charged that the committee assignments, and the decision to announce them early, point the way toward more partisanship from Lockyer in the future. "A lot of us were taken aback by it," says Senator Bill Leonard (R-Redlands). "He seemed like he was trying to solidify his leadership by keeping all parties in his caucus as happy as can be." Leonard says the appointment of Senator Tom Hayden (D-Santa Monica), an ardent environmentalist, to chair Natural Resources puts the Democrats "squarely at the far left end of the discussion" on environmental issues. For his part, Lockyer insists the move was simply aimed at insuring a smooth transition by giving prospective chairs a head start on organizing for the new session.

"The debate for me was simply one of whether to wait for January," says Lockyer. "Theoretically, you'd enhance your position [politically] by keeping everyone guessing."

Whatever Lockyer may have done for the organization and policy direction of the Senate so far, his biggest challenge as pro tem began in earnest when the session ended last month. Fourteen of the 20 seats up for grabs in the November election began the campaign in Democratic hands. Several have been, to varying degrees, contested. With the Democrats sitting at 22 by session's end, a loss of two seats could force him to cut deals with independents Quentin Kopp and Lucy Killea in order to retain power next year. "He's been handed a challenge that is almost overwhelming, with the number of races, the number of campaigns, the Republican surge, and the decline in voting by the Democratic base," says Hayden.

Lockyer began tackling that particular challenge even before he officially took over as pro tem. Throughout the 1993 interim, Lockyer worked six days a week on fund raising. When making his pitch in person, Lockyer brought along a stack of charts, *a la* Ross Perot, laying out the case for his party's continued control of the Senate. His chief target in these presentations was what he calls the "theocratic right," as personified by conservative GOP Senator Rob Hurtt (R-Garden Grove) and his Allied Business PAC. Lockyer has also made it his business to reverse what he sees as a tendency for contributors to favor the more flamboyant and well-connected Willie Brown's Assembly leadership caucus. "They develop some history with Willie, so it's almost autopilot," he says. "If they are going to contribute to Democratic races ... the Senate is entitled to equal treatment."

Even with all this effort, Lockyer faced an uphill climb to keep his numbers steady. Republicans say the narrow margin makes Lockyer's leadership tenuous at best. Any further narrowing of the margin would, according to Maddy "suggest all kinds of things for potential coalitions. There's a group of

Democrats that don't like Lockyer." Democrats insist Lockyer won't be weakened, even in the wake of possible election setbacks. "As long as Democrats and the independents control, he's fine," says Hayden.

"Serving as leader when so many Democrats are exposed is a particularly thankless job," adds Senator Pat Johnston (D-Stockton). "It's not credible to suggest that [Lockyer] was anything less than totally committed and quite successful in supporting our candidates."

Assuming Lockyer's still exercising functional power come next year, he faces an even more uncertain task: guiding the Senate into the term-limit era. "The power of the pro tem is probably going to be enhanced somewhat, and the power of the speaker will be reduced," offered professor Larry Berg, who directs USC's Unruh Institute on Politics. Berg's suggestion echoes an assessment shared by most in the Legislature, many of whom suggest the only thing keeping the Senate from rolling over the Assembly now is the experience and savvy of Willie Brown.

"The Senate will probably be the center of political stability and innovation in California," Lockyer says. "I have to, in collaboration with my colleagues, create a new, more dynamic Senate." That, in Lockyer's view, means taking steps to modernize the Senate technologically, keeping hold of the Senate's more experienced staffers, and doing a better job of controlling the flow of legislation. An early indication of how he will do might have come the last night of session: The Senate adjourned an unheard-of four hours *before* the midnight deadline rather than the more-typical four hours after.

Lockyer's Democratic colleagues see him as an excellent person to handle the transition to the new order. "He's indefatigable," says Hayden. "Those who've watched him for awhile know that he likes doing this. He'll go the extra mile." Greene says Lockyer's experience in both houses and as a player in policy issues give him the experience base to insure maintenance of an institutional memory. Johnston says Lockyer brings not only a good balance of policy and political skills, but also what he described as a "refreshing candor and directness" to the job.

Republicans offer a less flattering vision of the future. "The one thing that's more possible with Lockyer than with Roberti is an all-out war situation," says Maddy. "He's always volatile. You never know when he's going to blow up." Leonard says that, as long as the margin remains narrow, he sees coalitions in which the GOP teams with different sets of Democrats on different issues. "His [Lockyer's] will wind up being more of an administrative leadership," says Leonard.

Outside observers say it's still too early to predict how a Lockyer leadership will ultimately pan out, because the full impact of term limits likely won't be felt until 1996, when Willie Brown leaves the Assembly. Berg suggests Lockyer's ability to balance the conflicting impulses of stability and partisanship will say much about how the Senate moves into its new era.

"In leadership politics, the personality and skills of the individual may will be the critical factor," says Berg. "Bill Lockyer has a basic idea where he wants the institution to go. That is extremely important." If his words are any indication, Lockyer understands his role in shaping the future of the Legislative branch.

"I'm a transitional pro tem between the old Senate and what will eventually emerge as the new Senate," he says. "I think I have the appropriate combination of political and policy skills for that time." 🏠

The Roberti legacy

As pro tem, David Roberti helped modernize and reform the Senate only to see it tainted by the corruption of those he trusted

By A.G. Block



It was an uncomfortable moment. Senator David Roberti (D-Van Nuys), president pro tempore of the California Senate, had just been asked to explain why he had retained Senator Joseph Montoya (D-Whittier) as chairman of a key committee — Business and Professions — long after it became widely suspected that Montoya was using that chairmanship to enrich himself. At the time, Montoya had just been convicted in federal court on corruption charges; Roberti had been pro tem for a decade.

Roberti hesitated. “I did not send Joseph Montoya to Sacramento,” he said finally. “The people of the 26th District sent him here.”

Those people, he was reminded, did not appoint Montoya to his post, nor did they keep him there. That was the province of the pro tem. Had he not even called Montoya to discuss the rumors and suspicions?

Roberti, half-buried in the cushions of a leather chair, stared off toward shuttered windows in the gilded Capitol sanctum he called an office. “Because, I suppose ...,” he began, then cut himself off and lurched forward in his chair, his face both dark and animated. “Look,” he said, “it is very difficult. You police somebody on Monday, and on Tuesday, you’re asking for his vote. The long and short of it is that we have two things to do: one, to maintain the integrity of the house; and two, to deliver for people who expect us to ... deliver. You try not to do one to the exclusion of the other, but it puts you in a difficult conundrum.”

And there, within the sometimes painful confines of that dilemma, lays the leadership legacy of David Anthony Joseph Rocco Roberti, 28 years a legislator, 14 years as leader of the

state Senate. In nearly every sense, Roberti delivered. He delivered for his caucus, preserving, even expanding its majority in the house. He delivered for an array of constituencies that looked for help to this shy, liberal son of Italian immigrants: animal-rights activists, environmentalists, gun-control advocates, AIDS sufferers, latch-key children, seniors, renters, the poor. He delivered for his staff, to whom he was conscientiously loyal.

The integrity of the Senate is another matter. The Legislature’s reputation suffered during Roberti’s tenure, buffeted by policy gridlock and by the aftermath of a far-reaching sting operation conducted by the FBI. The gridlock took place mostly in the Assembly. But the sting, known informally as “shrimpscam,” gouged huge chunks from the Senate’s prestige. Three sitting members and one former member were convicted on corruption charges directly attributable to their activities as lawmakers. Three of them — Democrats Montoya, Paul Carpenter and Alan Robbins — helped Roberti become pro tem and were his lieutenants. (The fourth — Republican Frank Hill — was done in by adventures while a member of the Assembly and thus out of Roberti’s orbit.)

Paradox oozes from every nook and cranny of Roberti’s career. A passionate advocate for the poor, he was forced to help slash funding for the poor when the state fell on tough financial times. Dedicated to providing an open and above-board reapportionment process, he became odd-man-out when the final redistricting scheme went into effect. A fierce opponent of term limits, he became its first official victim. A loyal Democrat who helped dozens of colleagues through the years, he was defeated in his final campaign by another

Democrat. A devout Catholic who opposes abortion on religious grounds, he saw his beliefs twisted and misconstrued during the 1994 Democratic primary for treasurer. Scrupulously honest in his personal life and a persistent guardian of the reputation of the house itself, he abided colleagues whose corrupt hustles betrayed his trust, made a mockery of legislative honesty and tarnished the image of the entire Senate. A gifted and adept legislative leader, he operated in a shadow cast by the articulate, flamboyant showman whose tenure as speaker of the Assembly paralleled Roberti's as pro tem — Willie Lewis Brown Jr.

"Many people believe that Willie Brown was the speaker of the entire Legislature," said Steve Merksamer, who served as first-term chief of staff to former Governor George Deukmejian from 1983 to 1986. "Willie is as gifted a legislative leader as has ever existed, and rightly or wrongly, it will diminish Roberti's stature over time."

"Here was a man [Roberti] who was an extraordinarily talented and productive legislative leader, but he'll never get credit for it because he was pro tem at the same time Willie was speaker," said Tim Hodson, executive director of the Center for California Studies at CSU-Sacramento and a former Senate staffer. "Yet David held the Senate together at a time when the Legislature was clearly deteriorating as an institution, and much of the impetus for that decline came from the Assembly."

Roberti was born in 1939, the son of a tailor who had moved from Colorado to Los Angeles during the Depression. He was educated at Loyola High School and Loyola University in Los Angeles, where he first became interested in politics. At the time, however, he was a Republican, switching to the Democrats in 1960 over the issue of civil rights. He earned a law degree from the University of Southern California in 1964, and two years later was elected to the Assembly. He served in the lower house until he won a special Senate election for a seat in 1971. A decade later, he was pro tem.

Roberti became pro tem at a time when the Senate was evolving from a chummy club to a partisan battleground. For most of this century, the house was loosely guided by the *laissez-faire* attitudes of a series of pro tems; throughout the 1970s, it was Jim Mills (D-San Diego). But the Senate's congeniality began to break down in the mid 1970s when liberal Democrats and conservative Republicans became more aggressive and more combative. The break point came in the 1980 elections when a group of conservatives, led by former Senator H.L. Richardson (R-Arcadia), defied an unwritten rule of the house by trying to take out an incumbent. Prior to 1980, the two parties were expected to battle for open seats, but incumbents were off limits. In defiance of this tradition, Richardson and his allies mounted a serious assault on Senator Al Rodda (D-Sacramento) — dean of the Senate. To the chagrin of Democrats, they defeated Rodda with a young, unknown legislative aide named John Doolittle.

"I gave them [Democrats] a reason to get rid of Mills," Richardson said recently. "And they got 10 times tougher."

Richardson, who was beginning to pioneer the use of computers and targeted mail in campaigns, emerged as the Democratic caucus' big bugaboo in the wake of Rodda's defeat.



The Democratic majority stood at a slim two (21-19), and control of the house was at risk in 1982, where 14 of the 20 senators up for election were Democrats. Democrats expected a partisan free-for-all and held little confidence that their leadership could withstand the onslaught.

Mills, a bright but aloof Jesse Unruh protege who had been pro tem for nearly 10 years, exerted little partisan pressure on the house, and liberal Democrats considered him incapable of responding to the threat posed by Richardson and the Republicans. The man they turned to was Roberti, who engineered his coup d'caucus quietly, almost effortlessly, against the backdrop of a protracted and acrid Assembly speakership fight between then-Assemblyman Howard Berman (D-Los Angeles) and then-Speaker Leo McCarthy (D-San Francisco). The winner of that speakership battle, of course, was Willie Brown.

Roberti withstood the Republican challenge. Indeed, in 1982 he increased the Democratic majority from 21-19 to 23-17, even avenging Rodda when then-Assemblyman Leroy Greene (D-Carmichael) defeated Doolittle (although the latter remained in the Senate because of the vagaries of reapportionment and even won re-election in 1984). In 1984 Democrats under Roberti achieved a high-water mark by increasing their majority to 25-15.

Roberti's leadership was under intense scrutiny in those early years, but he gained the confidence of his caucus, and helped solidify his leadership, with the effort to save Senator Alex Garcia (D-Los Angeles), who was under attack in 1982 not from Republicans but from another Democrat — Assemblyman Art Torres. At the time, Garcia's legislative skills had deteriorated, and he was virtually invisible in the Capitol. Torres, on the other hand, was an ambitious and energetic liberal

who had once worked for Roberti and was backed by most Latino political leaders in East Los Angeles. Nonetheless, Roberti supported Garcia in what became an intense, nasty and expensive campaign. Although Garcia lost, Roberti had proved his loyalty — a loyalty that later helped sustain him through several unsuccessful coup attempts.

Once in power, Roberti's task was complicated by the fact that the Senate had no tradition of strong leadership. Power was diffused among many warlords rather than concentrated in the hands of a dominant pro tem, and Roberti had to create a structure for holding and dispensing that power. For example, past pro tems had not raised much money and had little inclination to distribute it to hard-pressed colleagues. Roberti became a prime fund raiser, and he doled out the largesse to embattled members, thereby cementing their loyalty and his leadership.

"Had we not had that extensive fund-raising apparatus," Roberti says today, "we would have lost the house in 1982."

But Roberti's Senate also became more partisan, and it soured his relationship with Deukmejian from the start of the

governor's first term. The two incidents which drove a wedge between Roberti and Deukmejian were the rejection of Michael Franchetti as Deukmejian's director of finance, and the refusal of the Senate to allow Deukmejian to occupy the sprawling and never-used governor's mansion in a Sacramento suburb.

In terms of legislative record, Roberti leaves with solid credentials. They include the nation's first ban on semi-automatic assault weapons, a state-supported program for after-school childcare, key animal-rights legislation, the Roberti-Z'berg Urban Open Space and Recreation Program, the Privacy Act, GAIN legislation, the now-defunct renters' credit, and the state's first AIDS program.

Roberti also is proud of what *didn't* happen. "My years weren't flush years, and what we protected is every bit as important as what we passed," he said, citing protection of the coastline and protecting rent-control laws in various communities.

"He stuck by what he believed in," conceded Richardson. "As off the wall as I thought it was, he stuck by his ideas."

Despite the tension that existed between Deukmejian and Roberti, Merksamer found the pro tem "remarkably easy to deal with. He was forthright, and I developed a great respect for his intellect and ability."

But most of all, he kept his house productive at a time when the Legislature as a whole seemed steeped in gridlock.

"During the last six or seven years, we did a lot of effective work in a bi-partisan way," said Senate Minority Leader Ken Maddy (R-Fresno). "We carved out budgets, enacted ethics reform, put together a major transportation package, accomplished some workers' comp reform. This is a list of legislative accomplishments that will reflect well on him as a leader who could work with both sides."

All of his accomplishments and gifts as a legislator aside, Senate corruption trickles through the fiber of Roberti's legacy. He was not corrupt, but several of his minions were.

"It is a philosophy of leadership," said Larry Berg, director of the Jesse M. Unruh Institute of Politics at USC, "that when individual members go astray of the law, they do it individually."

"It was the notion that he wanted to be pro tem because he could do it better than anyone, and there were things like the assault-weapon ban that he wanted to get done and could only do if he were pro tem," said Hodson. "And he could only be pro tem if he protected his guys. If he didn't protect them, how long would it be before someone else came along [to challenge his leadership]."

The sadness for Roberti, said Hodson, "is that for all his prowess as a legislative leader, he never figured out how to take action against a Robbins or a Montoya within the politics of a coalition. He could not wear the cop's hat. Here was a man who was honest and morally scrupulous, who found repugnant stuff going on and didn't know how to reconcile that with his role as pro tem."

Perhaps there is no reconciliation. "If you have some senator who has a reputation for being self-serving, well, where do you draw the line?" Roberti said. "On which side do you err? On the side of tolerance and the concept that someone is innocent until proven guilty? Or, is it on the side of rigidity before all the information is out? It isn't so easy to be a Monday-morning quarterback."

Roberti acknowledged that on one occasion, he did have a conversation with one of the since-convicted senators (whom he did not name) over the lawmaker's "reputation." "Someone

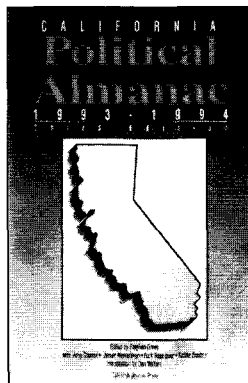
came to me and complained that this senator was becoming too heavy-handed," Roberti recalled. "But the complainer wouldn't give any specifics. I raised it with the senator, in this vague way ... and I got my head chopped off."

"There's no hardfast answer," said Maddy, who also saw a member of his caucus convicted in federal court. "There will always be disagreement over whether he could have controlled them."

At the end of his career, Roberti was not allowed to go quietly into the sunset. Although term limits force him from office next month, the first victim of Proposition 174, his last year in the Legislature was marked by travail. This past April, he was embroiled in a vicious recall election in his Senate district, sparked mostly by those who sought revenge for his successful advocacy of gun control. Roberti staved off the recall, but the effort drained his resources and left him with virtually no campaign fund for the Democratic primary for treasurer in June. His opponent, a well-heeled Sacramento real-estate developer named Phil Angelides, attacked Roberti for his stand on abortion, accusing the pro tem of condoning the killing of an abortion doctor by a pro-life kook. The attack was a lie, but Roberti, bereft of money, could not respond, and he lost the primary. In the meantime, he had stepped aside as pro tem in favor of Senator Bill Lockyer (see previous story).

Still, Roberti leaves a Senate markedly more professional and open than the Senate he took over in 1981. It is a Senate that no longer tolerates secret meetings, a Senate that no longer tolerates the last-minute amending of bills, or conference committee reports submitted at the last second, a Senate where, as Roberti says, "people vote in an informed manner." 🏛️

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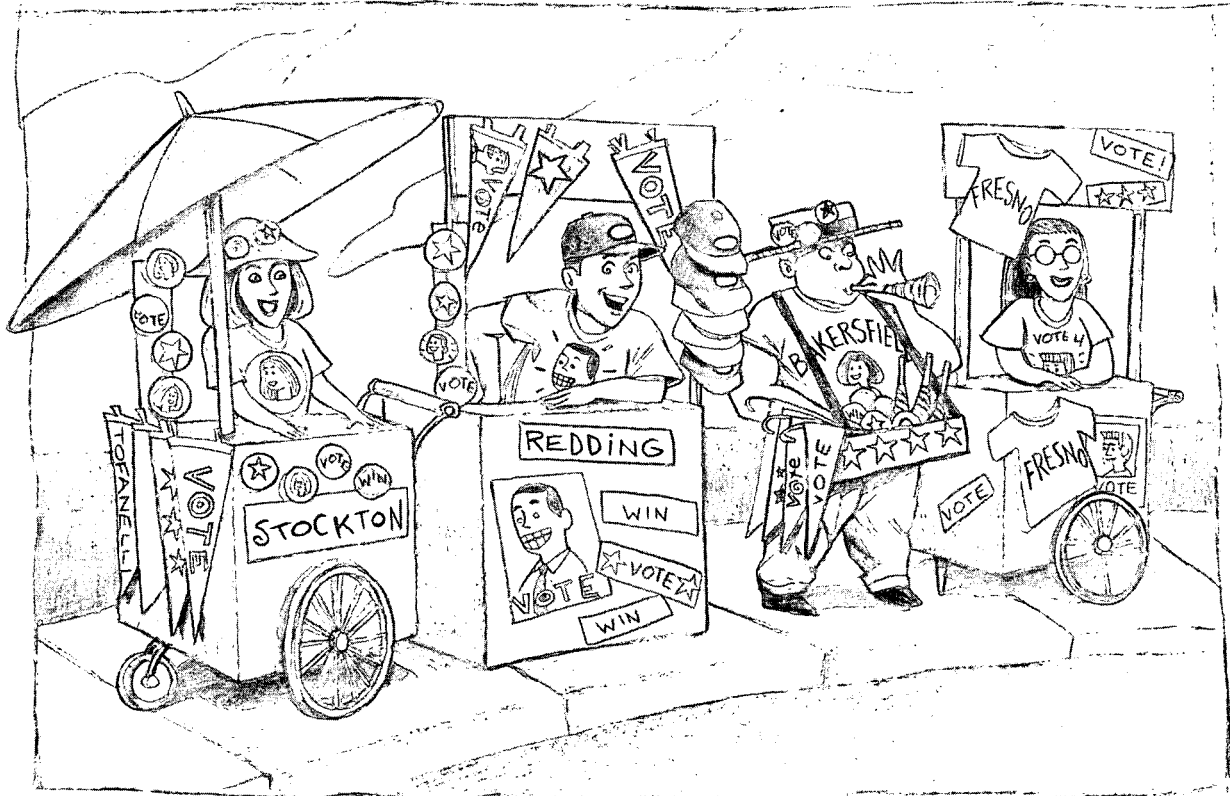


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Consultants at the grass roots



Illustrations by Mike Tofanelli

Professional campaign help goes local

By Clea Benson
and
John Borland

When you have to go to court, you hire a lawyer. If you have to have your appendix out, you hire a doctor. If your car makes clanking sounds and has smoke coming from the whaddyacallit, you take it to a mechanic.

And to a growing extent, if you are running in a political race in California, even at the most local level, you look for a professional consultant. Increasingly savvy candidates for city council, county supervisor, mayor and even water boards rely on small-time James Carvilles and Mary Matalins to help craft campaign strategies and target likely supporters. It no longer matters who has the best slogan-embossed pot holders and refrigerator magnets. With office-seekers at the grass roots vying for the best high-tech data bases and well-honed lists of targeted voters, consultants have found a new gold mine in the Golden State.

"You can do it yourself, but it's time-consuming and you have to find someone who knows what they're doing," says Harry Moore, a Democrat who hired Marin County consultant Marc O'Hara to run his 1994 campaign for Contra Costa County supervisor. "A campaign manager knows where you should be walking or how thoroughly you should be contacting people."

Clea Benson and John Borland are reporters with California News Service, a project of the Graduate School of Journalism at the University of California, Berkeley.

Consultants who have worked in other parts of the country say the phenomenon is not unique to California. But they agree that this state, long a trend setter for campaign technique, is on the leading edge at the local level.

"In 1937 the first political direct mail went out in Marin County," says Bob Mulholland, campaign adviser for the state Democratic Party. "California's always been at the forefront of campaign technology. Probably in the last 10 years it's really taken off at the local level. It's more true in urban areas just like it's more true in California than in other states."

Precise figures on the number of consultants doing local races are hard to attain. But of the 362 consulting firms listed in the American Association of Political Consultants' directory, 124 are based in California, more than in any other region except Washington, D.C. And observers say the number of consultants in the state has grown rapidly.

"In the 1960s there were only a handful," says Dick Rosengarten, editor of *CalPeek's* state directory of full-time consultants. His latest list, compiled a little more than a year ago, contained 300 entries.

Much of the trend pushing political consultants to the local level is a simple result of the laws of supply and de-

mand. California has precisely the right mix of political resources that make it a natural magnet for consultants: large urban markets, districts from congressional down to city council that are too large and too diverse for a political neophyte to understand, and abundant races, even in off years. Not to mention lots and lots of money.

"California does politics with a vengeance," says Carol Hess, editor of the "Political Resource Directory." "Even in New York — a big state — \$100,000 is a lot to spend on a state legislative seat." Not in California, where Assembly seats have been known to go for more than \$1 million.

But the number of statewide, congressional and even state Senate and Assembly races is limited, the traditional market for consultants easily saturated. This means the growing ranks of campaign professionals must create demand among lower-level candidates who might otherwise have been happy running with no more help than a group of interested friends. "My pitch is that even if I charge you a couple of thousand dollars, I can help you save at least that much by targeting your mail," says Los Angeles-area consultant Tom Shortridge, a Republican who started his own firm two years ago after working for former GOP Assemblyman Gerald Felando. "If you're running a full-time consulting firm, you need the

business."

At the bread-and-butter level, a full-time consultant needs to fill time, particularly in off-years, with paying clients. This is possible in California only with recourse to local races, special elections and other small-ticket items. "You don't find a lot of people who make enough money to take off the non-election years," says Joe Cerrell, a former president of the AAPC who has worked in California since the late 1950s. But every campaign adviser also seeks reputation and prestige, which for political consultants translates very directly into dollars. "It's the cliché, 'You're as good as your last campaign,'" Cerrell says.

There is a hierarchy among consultants in the state. At the top are those that handle primarily statewide candidates, such as Democrats Clint Reilly and Darryl Sragow or Republican Sal Russo. On a slightly lower level are the big names that advise mostly legislative races, with an occasional dip into local politics, such as Democrat Richie Ross or veteran Republicans Ray McNally and Richard Temple. Below them are the mass of consultants who handle local races, usually within a single region. Some, like Reilly, can build their reputation enough to climb up the ranks. But this kind of vertical mobility is unusual.

Hard times for BAD Campaigns

For years they were seen as kingmakers in California politics. The power of Los Angeles Congressmen Henry Waxman and Howard Berman to mobilize funds and support behind their hand-picked Democratic candidates was legendary. BAD Campaigns — named for Howard's brother Michael Berman and Carl D'Agostino — managed the pair's ground operation, gaining a reputation as one of the smartest and toughest consulting firms in the business.

But times may have changed. BAD's presence in this year's election cycle has been minimal. Initiators and some of the most effective practitioners of the modern slate card, their recent efforts have arrived late in the mail and have been swamped by a proliferation of copycat competitors. This apparent disengagement from local races and the diminishing Berman-Waxman influence has raised eyebrows.

"As a matter of personal practice, we do less of that now," Howard Berman said. "It's personal, a part of aging." He claimed that he and BAD were not getting involved in races



"It's not really correct to say there is a career ladder that starts at the lower rungs," Sragow says. "It's a very fluid business. But I don't see a lot of movement." To a large extent, local consultants carve out a turf in their own area and concentrate on getting business and winning races there.

Demand is not hard to drum up for consultants with or without big names. Increased competition and new technology have made some kind of professional help affordable even for campaigns with shoestring budgets. Democrat Parke Skelton, who has managed everything from school board races to legislative contests, charges between \$5000 and \$10,000 to advise a campaign with a \$35,000 budget. Shortridge says his fees tend to be about 20 percent of a campaign's total spending. His average local candidate spends about \$15,000, he says, though the range has run from as little as \$5000 to a \$300,000 Los Angeles City Council race.

Consultants, even those without a big following, have more to offer now than in the old days of note cards and file cabinets. Candidates can get computer tapes filled with lists of registered voters and their vital political statistics. A professional with a computer, database, and a little bit of analytical experience can take this raw data and help candidates target their likely

supporters with surgical precision. This technology gives candidates more for their consulting dollar. After spawning a new breed of professionals with computer know-how, it has now brought sophistication to local politics and spread power in the consulting industry. "We used to have kingmakers in cities with shoe boxes full of voters," says Shortridge. "These guys are all out of business. Now you can do it all in half a nano-second on a computer."

But local consulting is not just about technology, according to Marc O'Hara, who went back to local campaigns after running Arlo Smith's unsuccessful 1990 bid for state attorney general and Claire Sargent's 1992 race for the U.S. Senate in Arizona. It also means doing traditional things such as walking precincts, albeit in a targeted way. "You can actually create more change in a real and rational way working with local people than you can in multi-million-dollar statewide campaigns because those campaigns don't come in contact with real voters," O'Hara says. "Campaigns on that level do three basic things: raise money, develop messages that are based on research and then deliver those messages in creative ways."

Not every candidate can afford a full package of consulting services. But the demand for sophistication has led to a group of "boutique" firms that give

clients a choice of individualized services, such as polling or district surveys, campaign accounting or direct mail. Some of these organizations, previously accustomed to wholesaling their services to full-time consultants, are now working directly with the candidates themselves.

"I have seen more and more local people come to us when they're just shy of being able to hire someone, but they need a little help on the technical end," says Fred Thomas, co-owner of the Chatsworth-based Aaron Group, a company that specializes in direct mail. Thomas' company, which offers a full range of services from design to mailing, has handled jobs as small as \$1000 for a small city council race and as large as \$100,000 during a hotly contested Los Angeles City Council election.

Sandy Webb, a Libertarian Simi Valley city councilwoman running for re-election, is a good example of a candidate who shops for professional assistance according to her limited budget and pressing needs. During her first campaign four years ago, Webb used a part-time consultant to write campaign material and target supporters and hired a firm to shoot cable television ads. This year, Webb decided not to use a consultant but did contract with the Aaron

Continued on page 17

other than his own this fall.

Berman and Waxman met in college, forming a friendship that evolved into a coordinated political effort, and eventually tracked each other through the state Assembly and into Congress. The "machine" pinpointed by many observers was centered around a larger group of friends and like-minded candidates, who rode Berman's and BAD's money, influence, and political know-how to office.

But the 1992 political losses of three members of this core marked a change in the group's fortune and reputation. Gray Davis and Mel Levine both lost primary bids for the U.S. Senate, and longtime state Senator Herschel Rosenthal lost his seat in an unfamiliar district created by reapportionment. When several Assembly seats opened up this year in West Los Angeles — BAD's home turf — the group remained quiet. In past years, it had been virtually impossible to win an election there without BAD's backing. But this year it weighed in only on a single race, tacitly supporting but not handling Ed Johnson, an aide to Waxman-Berman ally Congressman Julian Dixon (D-Los Angeles), in the 47th Assembly District. Johnson lost, beaten by Assemblyman Willard Murray's (D-Compton)

son Kevin. And the famous BAD slate card, widely regarded as one of the most effective pieces of direct mail in the business, arrived late in many households, sharply diminishing its impact.

BAD's reputation has been further hurt by allegations of dirty campaigning, illustrated by a 1992 Davis television advertisement comparing his main opponent, Dianne Feinstein, to jailed hotelier Leona Helmsley.

Despite the lull in their activity, few observers expect the group — particularly the Bermans — to stay out of politics. "These things run hot and cold," said Joe Cerrell, a longtime Democratic Los Angeles consultant. "If they want to, they'll make a comeback. It's like ... asking if Richard Nixon will make a comeback."

"I think they got a little burned out after so many people criticized them," said Republican consultant Richard Temple. The same thing happened to veteran Democratic consultant Richie Ross almost a decade ago, he adds. But Ross is back, and Temple expects the same from BAD. "I don't think they ever really left." And Berman himself isn't making any promises. "You never know," he says. "I'm not good at predictions." 🏠

— John Borland

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Group to print and send her direct mail.

"If you have the money in the campaign, I feel it's best to use a service that doesn't just do printing but does the mailing as well," says Webb, who had volunteers stuff her letters in envelopes last time around. "This time I have a little better budget and I just don't need that kind of push [from a consultant]."

Although consultants are based more heavily in urban areas, where prohibitively expensive media markets create a greater demand for targeting services, innovative campaign strategies are filtering out to less-populous regions. "The differences are not as great as you would think," says Sragow, comparing practices in small communities with those in metropolitan areas. Candidates have the same problems in reaching people and eliciting interest across the state. "Voters are as difficult to get to at the local level as for state-wide races," he says.

Other features of the California landscape ensure a steady demand for consulting services well into the future. The 1990 legislative reapportionment, drawn by the courts rather than the partisan Legislature, created a larger number of contested districts than usual. And with voters paying less and less attention to traditional methods of campaign advertising, candidates will need consultants to devise new ways to get their messages across.

The passage of Proposition 140, instituting term limits for state constitutional and legislative offices, has helped to further stir up demand. In the 1994 elections, a record number of incumbent legislators left their seats for attempts at higher offices, trying to avoid the newly mandated deadlines for their terms. This left their seats open for city council members, mayors, school board members and other ambitious locals, who in turn vacated their own seats for a shot at the big time. "Term limits are the biggest bonanza for campaign consultants ever. They guarantee a fresh crop of prospects," O'Hara says.

And then there is the arms race aspect of politics. "You must be able to match what the other person is doing," says Moore, the Contra Costa County supervisorial candidate. "I would prefer to keep it at a volunteer plane but I don't think that's possible any more."

That may be true. But as some local candidates are already starting to learn, the edge they get from professional help diminishes when their opponents

are doing the same thing. When mailboxes become cluttered with political ads, even a narrowly targeted mailing loses some of its power to persuade. Webb, who traces her original victory in part to her use of cable television ads, says that strategy is no longer as effective. "In the last election cycle two years ago, some of the candidates started using television ads," she said. "It didn't work as well for them as it did for me, because I was the only one doing it."

While cable ads may become ubiquitous, and mailboxes overstuffed with political ads, the technology moves on. In the near future of 500-channel television and interactive entertainment, enterprising campaign consultants will undoubtedly find new ways to slip their candidates' names into voters' homes and minds. These tactics will in their turn become obsolete, but one thing is certain: When the professionals move in, there's no turning back. 

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BREAKING INTO THE TOP FLOOR

Women campaign professionals finding it hard to reach “star” status

by Steve Scott

You might say Kathleen Brown was in her element at one September fund raiser in San Francisco on behalf of her campaign for governor. Accompanied by first lady Hillary Rodham Clinton, Brown spoke to a largely female gathering of partisans in a swank hotel ballroom. Most of those attending had forked over up to \$1000 a plate; some had brought babies along who were wearing Brown campaign buttons. Given the audience and the company, Brown's opening line was a natural.

“The campaign,” she winked, “has entered the last trimester.”

The comment was typical of Brown's speeches to female audiences; as a candidate, Brown played heavily on her appeal to women voters. What is striking, however, is that the chances are good that the line itself was conceived by a white male. Once you get past the candidate, the masterminds of Brown's campaign were a collection of middle-aged, white, male “stars.” From her chief campaign consultant to her main press spokesmen to her policy advisers, Brown rounded up the usual white-male suspects to run the show after forcing out her female campaign manager in the spring. As the race drew to a close, only pollster Celinda Lake stood among the campaign's elite.

Brown is far from alone in this tendency. The other woman running in a marquee race, Democratic U.S. Senator Dianne Feinstein, has never had a woman in a key campaign post, and hired none this year. Her opponent, Congressman Michael Huffington (R-Santa Barbara), put just about every free Republican consultant around on his Senate campaign's payroll. All those in starring roles are white men. Among Governor Pete Wilson's veteran decision-making inner circle, only deputy campaign manager Kathleen Shanahan breaks the white, male monopoly.

“I think the ‘old boys network’ in politics has adversely affected women consultants,” says Kate Karpilow, director of the California Elected Women's Association for Education and Research (CEWAER). “There aren't many doors absolutely closed to women, but this one is stuck at one-quarter open.”

Certainly there are women whose experience and track

record warrant their being considered for any high-profile campaign. Nationally, the likes of Mary Matalin and Susan Estrich have earned reputations for their work in the presidential races of George Bush and Michael Dukakis, respectively. In California, a campaign staff made up almost entirely of women helped guide Barbara Boxer to victory in her 1992 U.S. Senate race. Perhaps the single biggest influence on 1992's Assembly races was exerted by Gale Kaufman, who runs Assembly Speaker Willie Brown Jr.'s legislative campaign committee and, along with Brown, directs strategy for all Democratic legislative races. Still, most of the names that come to mind when a well-positioned candidate starts looking for a consultant belong to men.

“I don't think either party does enough to train or bring forward women,” says Eileen Padberg, a 20-year Republican campaign veteran. “When it comes time for candidates to select managers, men and women look to men to make those decisions.”

Why have the ranks of elite campaign management remained such a male bastion? Some suggest part of the problem stems from the lack of appeal it holds as a career for women with children. “These are not ‘family friendly’ professions by any means,” says political scientist Karen Paget, who has written on gender and politics. “They are 24-hour-a-day jobs, seven days a week.”

“It's really challenging to abandon your life for a year to manage a statewide campaign,” says Donna Lucas, who ran

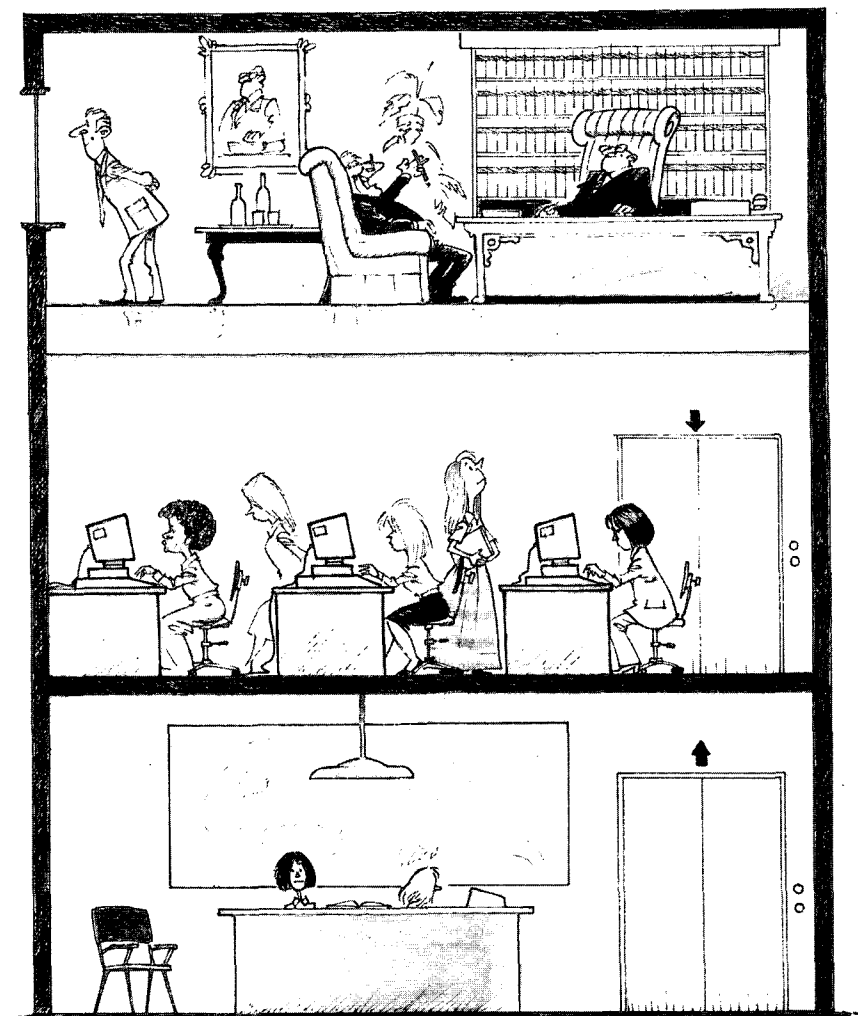


Illustration by Christopher

former GOP Treasurer Tom Hayes' 1990 race against Kathleen Brown. "A campaign is more than just work. You have no life. Your work becomes your life."

Some women campaign gurus say they also find themselves dealing with the same kinds of gender-based stereotypes that dog women candidates; specifically, that they are somehow "not tough enough" to run campaigns. "I did some hit pieces [in a 1984 legislative race] that were pretty tough," recalls veteran Democratic consultant Jill Barad. "Everyone assumed it was my male partner who'd done those, because how could this 5-foot-2-inch blonde with freckles be the slasher?"

What is particularly frustrating for many women in the campaign-management business is the extent to which women candidates themselves buy into these stereotypes. "When their egos are on the line, and it's so public, for some reason they feel more comfortable with a man," says Barad. "It's too bad because women ... can be just as tough." Kaufman, one of the state's most successful women consultants, agrees this type of pigeonholing takes place, but says the best antidote is a winning track record.

"You get this question, if you're a woman, about whether you're tough enough, seasoned enough, strategically adept enough," says Kaufman. "As long as you have victories under your belt, you get past it."

This notion of establishing a track record is especially

important in a business such as politics, where the name of the game is winning. "By and large, running campaigns and advancing is a meritocracy," says veteran Democratic consultant Mary Hughes. "You prove yourself at different levels of difficulty and the market will advance you." As with any other competitive profession dominated by men, however, getting the experience necessary to establish the track record is the hardest part of the journey. "If you're running for major statewide office, or major national office, you're unlikely to hire anyone, irrespective of gender, who doesn't have a lot of races under their belt," says Democratic consultant Darryl Sragow, who managed the gubernatorial campaigns of Dianne Feinstein in 1990 and John Garamendi in 1994.

Further complicating the road for women is the existence of a "star system" among consulting circles. When any candidate — man or woman — talks about hiring "the best," they often are really talking about the "best known." Those "superstars" — almost exclusively white men — attract money and attention to a candidate. "It's become part of the credibility game," says Paget. "People look to see who you've hired and confer from that your degree of credibility."

This "credibility game" was very much in evidence in the Brown campaign, which, for some, epitomized the difficulties women have had breaking through to the superstar ranks. Early in her trek toward the Democratic gubernatorial nomination,

Brown raised eyebrows by hiring 35-year-old Theresa Vilmain to manage her campaign. Vilmain was one of a number of women Brown tapped for her campaign, following the model she'd established in her race for treasurer. At the time, Vilmain's gender was less of an issue than her experience in California, as she was best known for having run Geraldine Ferraro's unsuccessful 1992 U.S. Senate bid. Still, some prominent Democrats, most notably Speaker Brown, were critical of the treasurer's early decisions suggesting she was hiring women just for the sake of having women. Some Democratic women privately agreed. "She had a lot of women around her," said one female Democratic insider, "and several didn't have a right to be there."

Vilmain spearheaded a prodigious fund-raising effort on Brown's behalf — an effort which more than anything else facilitated her relatively easy primary victory. The first team ran into trouble, however, as the campaign lurched into 1994 without a focused message and stung by some missteps. By spring, Vilmain's job was in jeopardy, as would be the job of any manager whose candidate was struggling. But when it came time to make a change, Brown's choice to head the campaign was veteran hired gun Clint Reilly, known as much for his testosterone-laced campaign tactics as for his success. Vilmain and several other campaign aides resigned, and at the state Democratic convention in March, Reilly unveiled a re-vamped campaign hierarchy made up almost entirely of

unsmiling white men. "It looked like the Russian Army," joked one reporter at the time.

Many saw this male influence at work in Brown's repeated taunting of Wilson to face up to his problems "like a man." "That sounds just like Clint," groaned one prominent female consultant. "That is just not something a woman would say." Still, most women following politics are hesitant to criticize Brown too heavily for replacing a woman with a man, even a man like Reilly. "A candidate's obligation is to win," says Hughes. "You want to construct a team that works and is successful."

"Regardless of what you think of Clint Reilly, he's probably had more campaign experience with women candidates than anybody else I know," says Paget. "His desire to win transcends whatever gender bias remains."

Others are not quite so forgiving. "If Kathleen Brown can't trust a woman manager, she should have a woman co-manager," says Republican Padberg, who also chides Wilson for the paucity of women in his campaign inner-circle. While not criticizing Brown by name, CEWAER's Karpilow suggests that "when any woman candidate turns to women's groups for support ... one hopes that, in turn, they could bring political women into their campaign."

Do women candidates, such as Brown and Feinstein, have any greater responsibility to help bring women along in the campaign management ranks? Padberg thinks so. "We ought to do more to give women the experience," she says. "Instead, what we have are the same old 'suits' running the campaigns." Sragow, whose inner-circle for the Garamendi campaign consisted almost entirely of women, insists the first obligation of any candidate is to win. "Having said that," he adds, "I do personally believe that women running for office have some responsibility for speeding up the rise of women in the ranks of consultants."

Others warn against using any consultant's gender as a factor in deciding who should run a campaign. "It's a big mistake to hire someone because you're a woman and you want a woman," says Lucas.

"There are plenty of women who are very good at this business and who know how to do it," adds Kaufman. "When you hire women for the sake of hiring women, you sometimes lose sight of the goal, which is to win."

How then can women consultants and managers break through to the big-money, superstar races? One way could be to look at the track record of the stars themselves. Despite his reputation as a campaign genius, Reilly's only general-election victory statewide was with former state schools' chief Bill Honig. Sragow earned semi-genius status with his handling of Feinstein's gubernatorial race, but his last general-election victory was with Alan Cranston in 1986. Veteran GOP hotshot Ken Khachigian went far with George Deukmejian and Ronald Reagan, but that didn't stop him from losing twice



Donna Lucas



Jill Barad



Gale Kaufman

with Bruce Herschensohn.

"Someone ought to do a tab of who wins and who loses," suggests CEWAER's Karpilow. "The stars are good at marketing themselves, but they may be no more successful than the women waiting to break through the political glass ceiling."

Another avenue toward star status could be in spreading the word about what women consultants and managers offer a candidate. After the 1992 "Year of the Woman" election, the candidate-recruiting EMILY's List commissioned a study of women candidates and their campaigns. Hughes, who conducted the survey, found that women managers tended to, in her words, "campaign in a different voice."

"Men managers spoke about the competition in sports metaphors, and their structures were fairly corporate," said Hughes. "Women [managers] tended to operate on more familial models and have a less structured hierarchy. It offered a different kind of effectiveness."

Whatever difficulties women have had breaking through in the consulting ranks, there are indications that it may not last much longer. "One of the great things about politics is that you can rise to the level of your ability more readily than in a military or corporate structure, which is based entirely on seniority," says Sragow. "I think the problem will resolve itself over time." Kaufman suggests that, as the pool of women in the business grows larger, the opportunities will expand. "The more we encourage women to get into this business, the better the prospects will be."

"You're starting to see more and more women moving up in the ranks," says Lucas. "In the '96 presidential election, you're going to notice women in pretty senior positions."

While suggesting there is reason for optimism, others say there are still barriers ahead. Padberg believes it will take some high-profile successes before some of the old stereotypes can be broken down. "The white-male 'suits' keep getting called for campaigns whether or not they can do the job," she says. "All we need is a breakthrough." Barad, however, is much more pessimistic. "Some men [and women] still find it difficult to take direction from a woman," she says. "I don't think things are getting any better." Still, the consensus seems to be that, with the notoriety of women like Matalin, the emergence of women among the ranks of campaign elites is on the horizon.

"There's a lot of growth right below the visibility line," says political scientist Paget. "But it's indicative at this juncture that I can count most of [the star female consultants] on one or two hands." 🏠

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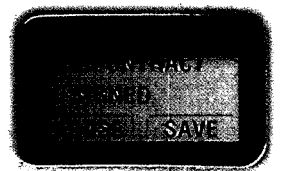
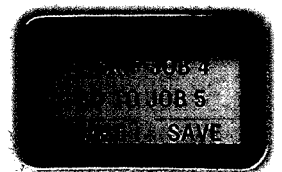
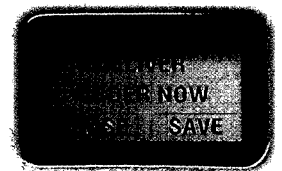
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Proposition 65 comes of age

One of the '80s most significant environmental laws works behind the scenes to inform people about the hazards of everyday life

by Richard A. Lovett



California is infamous for hard-fought ballot initiatives. There have been so many — more than 100 in the last eight years — that it's almost impossible to keep track of their fates. One such initiative is Proposition 65. When it passed in 1986 by nearly a two-to-one margin, it was hailed by its supporters as one of the decade's most significant pieces of environmental legislation, one that would shift the focus of toxic chemical regulation from cleanup to prevention. Now, nearly seven years after the initiative went into effect, the average Californian probably doesn't even know it exists, and almost certainly couldn't recognize it by name.

But that doesn't mean Proposition 65 isn't having an impact. Its most important effects were always designed to be behind the scenes. And it is only now, as it reaches its eighth anniversary, that Proposition 65 is really beginning to come of age.

The initiative's basic idea was simple. It required the governor to compile a list of chemicals known to cause cancer or birth defects. One year after each chemical was placed on the list, any business using it in a way that causes consumers, employees, or the general public to be exposed to dangerous amounts of it must give a warning or pay a fine of up to \$2500 per person exposed.

To proponents, Proposition 65 was a stunning vindication of the public's right to know. Industry reacted otherwise. The cost of compliance, industry representatives argued, would drive business out of California. Warnings would appear on

everything from fresh-baked bread to vanilla ice cream, and the initiative's "bounty hunter" provisions — allowing anyone to sue and keep a share of the fine — would lead to a plethora of lawsuits. If environmentalists saw Proposition 65 as a tremendous victory, industry saw it as a disaster.

Neither view has proven completely accurate. The California economy may have sagged, but it hasn't been due to Proposition 65. Nor has the feared tidal wave of warnings materialized. Many have been issued, but most have been limited to a few categories: alcoholic beverages, unleaded gasoline and industrial pollutants.

On the other hand, some of the silliness predicted during the campaign has indeed come to pass. Almost every unleaded gasoline pump in the state carries a sticker warning against breathing the fumes because they contain benzene, but most people probably have never seen the warnings. And if they do see them, how are they supposed to protect themselves? Stand upwind? Hold their breaths while using the pump?

In a slightly different vein, Roger Carrick, a Southern California lawyer who has written a book about the initiative, likes to poke fun at one of San Francisco's landmark hotels that placed a Proposition 65 warning on an ornamental brass plaque near the entryway. "I thought it was a commendation from the mayor," he said. Instead, it apparently was designed to cover the effects of second-hand tobacco smoke or possible fumes such as formaldehyde from various building materials.

In the early days of the proposition, there also was considerable silliness from generic warnings posted at store entrances that said in essence, "some of the products sold in this store may contain chemicals that cause cancer or birth defects." A toll-free number was given for further information. Proposition 65 supporters called this warning system "800-BALONEY,"

Richard Lovett is a freelance writer from Portland, Oregon, who has written extensively on Proposition 65.

and were as angry about it as some of the cynics were bemused. They put a stop to it in a lawsuit that declared such warnings to be insufficiently informative.

Nevertheless, Proposition 65 is gradually finding its niche. After a slow start, mostly due to foot-dragging on the part of then-Governor George Deukmejian's administration, Proposition 65 now applies to more than 500 chemicals, ranging from unimportant laboratory curiosities to such well-known hazards as lead, asbestos and benzene. More important, companies are changing processes and products to avoid carcinogens in the first place.

As Carrick has frequently noted, the preamble to the initiative reads like a paraphrase from the script to the movie "Network." Government, it says, hasn't been doing its job. Regulations languish, industry's incentive is to push for one delay after another, and state and federal agencies have failed to provide the public with adequate protection. Proposition 65 represents a gut-level scream by voters, proclaiming, "We're mad as hell, and we're not going to take it anymore!" he noted.

Usually these sorts of outcries produce little save some spicy rhetoric. This campaign and initiative has been so effective, however, that it is quietly changing the definition of business-as-usual. "Tilting the playing field" is how David Roe, a senior attorney for the Environmental Defense Fund and principle author of the proposition, characterizes the aftermath.

The tilt comes from a change in the rules about who is responsible for setting safe chemical exposure levels. Under the old system, epitomized by the federal Environmental Protection Agency, a mammoth state bureaucracy would be created to study scientific evidence and eventually put forth a few regulations. Not only is such a system cumbersome, but there are no incentives for industry to get involved in the investigation process. As long as no regulation is promulgated, there's no need for companies to comply, or even look at the possible effects of the chemicals.

The genius of Proposition 65 is that it reversed this incentive structure, making stalling counterproductive for companies. As soon as a chemical is added to the initiative's list, companies must decide whether or not people are being exposed and whether the exposure is serious enough to require a warning. If Cal/EPA has set a tolerance, the decision is relatively easy. If not, industry must do its own analysis and be prepared to support the results in court.

This role reversal is Proposition 65's single most important effect. Suddenly, everybody — especially the business world — wants the government to set clear, bright lines. Exposing the public to "x" amount of chemical "A" is okay; more than that isn't. To date, Proposition 65 has produced more than 250 specific chemical tolerances, compared to 20 or so federal tolerances under the old system. "It was funny, seeing all those industries coming in, begging to be regulated," says one business representative of the early Proposition 65 years.

"In its first five years, Proposition 65 produced 100 years of progress, measured by federal standards," said Roe. "It's not because California has smarter scientists or more money. They used what's in the EPA file cabinets. It's that they had a business community that suddenly was eager to see results."

Roe also could have added that all of this progress has been achieved at very little government expense. The budget for the entire program is less than 1 percent of the total Cal/EPA budget.

The cost to industry, and indirectly to consumers, is less

certain. The financial question was debated endlessly during the campaign, without any obvious resolution. Recently the potential listing of methyl bromide — a pesticide widely used by strawberry growers, nut packers, and a variety of other agricultural producers — has renewed the it's-going-to-drive-us-out-of-business argument. Growers were faced with the prospect of having to warn neighbors as far as several miles away that the pesticide is being used on the growers' lands.

Rhetoric about financial hardship may be overblown, however. Two years ago Cal/EPA asked industry representatives how much money they'd been spending to comply with the initiative. Several revealed expenditures, over the first five years, of more than \$99,000. That's a substantial sum, but by no means the staggering amount predicted in the campaign rhetoric. Significantly, most of the companies in the survey reported that their Proposition 65 expenditures accounted for only 1 to 5 percent of their total California regulatory costs. Even during the methyl bromide-notification debate — which has subsided for the moment — state officials, representatives from the attorney general's office and growers also were exploring ways for the chemical's users to band together and share the costs of compliance.

The challenging problems aren't the costs of the notices, but determining how much of a chemical is dangerous enough to require a warning. To do this, the law defines two classes of chemicals: carcinogens and what have become known as "developmental and reproductive toxins," or "DARTs" in the argot of the bureaucracy. For carcinogens, the initiative says that warnings are only required if the risk from lifetime exposure is "significant" — a term Cal/EPA has defined to mean one chance in 100,000 of contracting cancer.

For DARTs, however, the initiative takes a different approach, based on what are known as "No Observable Adverse Effect Levels." According to a requirement written into the initiative itself, birth defect warnings must be given whenever an exposure rises to 1/1000 of the largest safe dose. It's this hard-wired 1000-fold safety factor that is the initiative's biggest problem. Many scientists, including some outside industry, have argued that many chemicals are perfectly safe — and sometimes necessary — in doses greater than the 1/1000 threshold, and that such a large safety factor isn't necessary. Vitamin A presents an excellent case in point. In overdoses, it can cause birth defects. But it is essential for health in lower doses, and the difference between the two is far less than a factor of 1000.

The only way Cal/EPA has been able to avoid putting birth-defect warnings on products like vitamin-fortified milk or breakfast cereal has been by qualifying the chemical's entry on the Proposition 65 list, with the listing containing language saying it only applies to exposures in excess of a specified, harmful dose. Critics say that this solution, referred to as "creative listing," has come at the cost of distorting the initiative. It is tolerated because of the practical results, but if the chemical had been a pesticide or a food additive, the entire environmental community would have cried foul. What the initiative lacks is a special provision for dealing with essential nutrients — a provision that would allow the public to be informed that excess doses are dangerous, without forcing the same warning to be posted on foods that present no risk.

Ethyl alcohol presents a similar problem. It is suspected that one or two drinks a day at the wrong time in pregnancy may be enough to cause birth defects. But 1/1000 of a drink is

a trivial amount of alcohol, present in many products that obviously don't deserve warnings, like fresh-baked bread, orange juice, and vanilla ice cream. To avoid warnings on products like these, ethanol was placed on the Proposition 65 list only as "ethanol in alcoholic beverages." That's another form of creative listing, this time done by listing a product rather than the chemical it contains.

One solution for these problems would be to amend the law to permit Cal/EPA to reduce the safety factor in cases where 1000 clearly isn't necessary. This hasn't been done, however, because the initiative is based on an intrinsic distrust of government agencies. "Proposition 65 was born out of long, unhappy experience with the 'trust me' form of chemical regulation," says Roe. "That simply wasn't working. So what Proposition 65 said is, 'We trust you, but we're going to cut the cards.'" The 1000-fold safety factor may not be ideal in all cases, but it doesn't allow the government to succumb to the temptation to apply the weaker standard simply on the basis of politics.

The proposition's implementation hasn't been perfect from the viewpoint of environmentalists, either. One particularly hot topic is the question of whether consumer products warnings should name specific chemicals. At present they don't. The argument against identifying chemicals is that it serves no purpose to tell people they are being exposed to such things as "1-(2-chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea," or "chlorinated paraffins (average chain length, C12; approximately 60 percent chlorine by weight)." Such long

names, the argument goes, merely waste space on labels already cluttered with usage directions and other cautions.

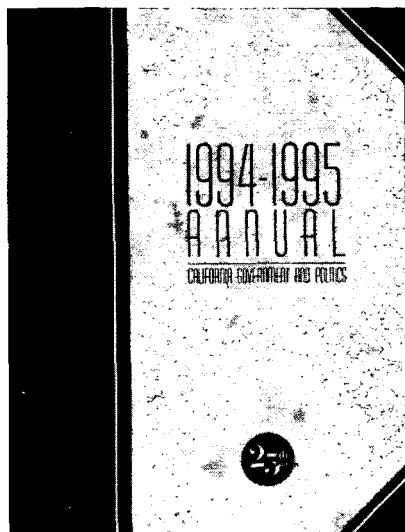
Although perhaps a legitimate concern, it takes a condescending view of the public's intelligence. Furthermore, industry might fear that consumers will react to the "nitrosos" and the "methylhexyls" by shying away, in favor of other products. Industry often calls such a response "chemophobia." Proposition 65 advocates argue that this reaction is precisely the goal of the proposition: to use the power of consumer choice to drive cancer-causing or birth defect-causing chemicals out of the marketplace whenever possible.

Mark Pollack, a former deputy district attorney for Solano County who attained a reputation as a Proposition 65 enforcer, supported complete listings. "Sooner or later somebody is going to realize that there is an incredible market for safe products," he said. "A seller will be able to advertise 'Our product is formaldehyde free.' 'Our product is toluene free.' Consumers aren't looking at the big words on the packages. They're looking for the packages that don't have them."

A more insidious problem has been a penchant by some companies to tack language onto their warnings that says, in effect, "We're giving you this warning because we have to, but don't worry; it's just another silly regulation." Although Cal/EPA's legal attempts to prohibit such appendages have been stalled for two years, the attorney general's office takes a dim view of such warnings, and vigorous enforcement actions appear to be discouraging them.

Important as they are, however, such issues are merely details. In general, Proposition 65 has been a remarkable

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success. In addition to helping to break the tolerance-setting log jam, it has also led many companies to change their procedures or products to avoid the need to warn.

One of the best examples of this came in the attorney general's war against lead contamination of wines from lead foil caps and leaded crystal decanters. Some people, usually industry representatives, questioned the importance of spending government money on sparsely used, expensive products. "What else might we have gotten for the time, money and talents invested?" asked Michele Corash, an attorney with the San Francisco firm of Morrison & Foerster. "What if [the attorney general's office] had been prosecuting drug deals, or shippers who dump their bilge in San Francisco Bay?"

But the leaded crystal case is a textbook example of the proposition in action. According to Deputy Attorney General Ed Weil, brandy left for a few hours in one brand of decanter contained 800 parts-per-billion of lead, more than 150 times the federal standard for drinking water. "I don't know anyone who thinks that's acceptable," he said. Studies also show that lead foil caps can increase lead levels by over 1000 parts-per-billion. Neither of these may have been the most urgent public health risks in the state, but Proposition 65 provided a simple means of addressing them. Lawsuits were filed and quickly settled in exchange for warnings and a moderate fine.

Not only did the leaded crystal lawsuit produce instant warnings, but it also showed how quickly the need to give warnings can cause product reformulation. Within months, one company — the same one whose crystal had measured at 800

parts-per-billion — demonstrated that it could produce leaded crystal in which brandy could be stored for a month without significant lead contamination. The reformulated product had been developed years ago, but until the need for warnings gave the proper impetus, it hadn't been used, said Weil.

Similarly, in Southern California, a series of Proposition 65 lawsuits about air pollution from ethylene oxide, a sterilizing agent that can cause cancer and birth defects, were settled not merely for warnings — which are all that the statute requires — but for substantial reductions in the pollution itself. Less directly, Proposition 65 actions targeted on leaded glazes on dinnerware have helped induce the federal government to tighten its own standards.

It was lawsuits, of course, which brought these issues to public attention and produced the dramatic changes. But equally important changes may be taking place quietly, in the course of ordinary business. In Cal/EPA's informal survey, nearly 85 percent of the companies that responded said that Proposition 65 had caused them to reduce or eliminate some form of toxic exposure.

Proposition 65 is an experiment that, despite occasional silliness, must be tallied as a major success, proving that the definition of "business as usual" can be rewritten without the need for an expensive, heavy-handed bureaucracy. It has also proven that even in a society that sometimes seems saturated with warnings, some warnings still have bite. Otherwise so many companies wouldn't have been so quick to reformulate their products to avoid the need to give Proposition 65 warnings.

People must still be reading the labels. 

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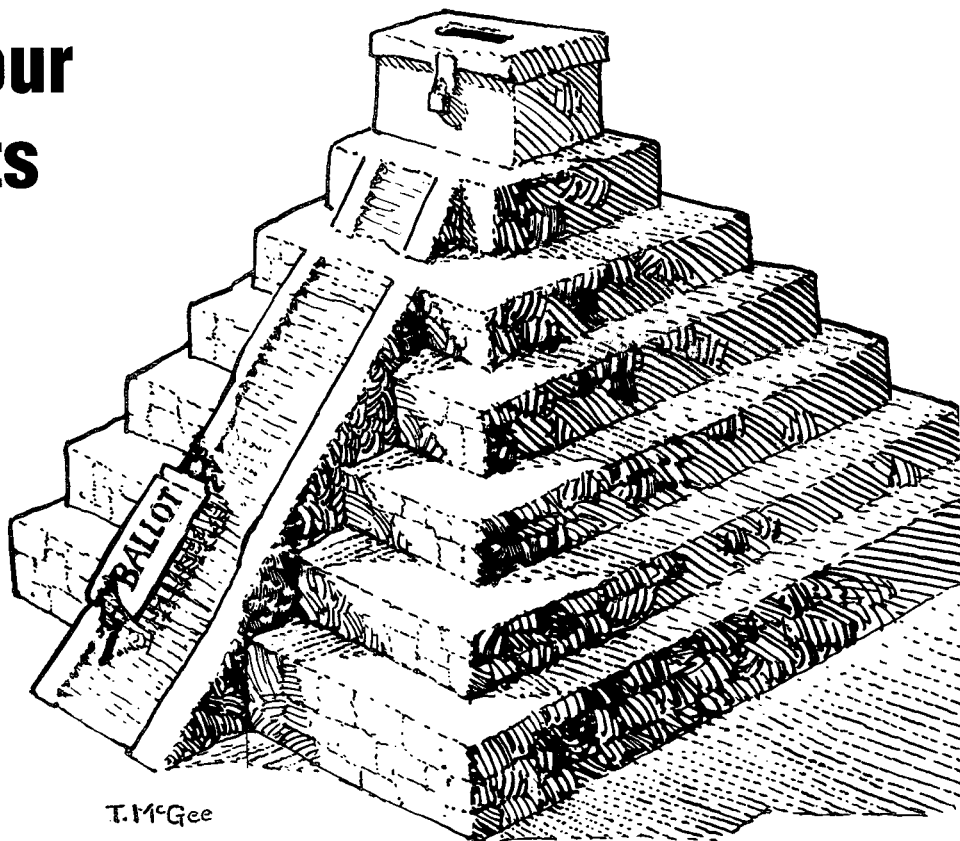
The lure of four million ballots

By Elizabeth Lopez
and Eric Wahlgren

When Proposition 187 qualified for the November ballot and Senator Art Torres (D-Los Angeles) announced his candidacy for insurance commissioner, Democrats and Republicans scrambled for a strategy to cash in on a potentially strong Latino turnout at the polls.

Democratic gubernatorial hopeful Kathleen Brown took the battle for Latino votes to the airwaves in September with an ad that juxtaposed sad-eyed Latino children with a mug shot of her opponent, Governor Pete Wilson, looking a bit like a convicted savings-and-loan executive. In Spanish, a narrator somberly declared the governor's education policies had been "a disaster" for California's youth. Wilson's campaign meanwhile tapped several Latino professionals to form a "Latinos for Wilson" coalition. These prominent Latino Republicans schmoozed with conservative Latinos up and down the state, praising Wilson's commitment to aiding small businesses and his tough action against crime.

Splashy and self-conscious, these efforts were largely short-term attempts by candidates in both parties to capture votes among California's approximately 1.6 million registered Latinos. What remains uncertain is whether either party will develop a long-term plan to secure the Latino vote. Latinos make up nearly 30 percent of California's population but only 11 percent of its electorate. Yet the state's 8.9 million



Latinos, more than four million of voting age, could one day become a tantalizing source of electoral power.

About 70 percent of Latinos register as Democrats, but they're often less loyal at the polls; more than 41 percent voted for Wilson in the 1990 governor's race after he actively pursued the Latino vote. And many Latino observers say neither party has a lock on this electorate.

"Whatever party oriented itself to the Latino vote would get a big harvest," said Antonio Gonzalez, president of the Southwest Voter Registration and Education Project.

At least in this election year, the parties seem to have caught on. After a recent citizenship ceremony in Los Angeles, Bob Mulholland, campaign adviser to the California Democratic Party, said Democrats set up 10 voter-registration tables. The Republicans also had a few. But registering a new voter

can cost anywhere between \$3 to \$5, according to Mulholland. Because not all newly registered voters actually vote, parties can shell out up to \$12 to send just one new voter to the polls. Richard Maullin, a pollster with Los Angeles-based Fairbank, Maslin, Maullin and Associates, doubts either party will develop any substantial long-term registration programs.

"Usually these efforts to reach out and find people, stay in touch and motivate them to vote are very costly," said Maullin. "I don't think that either party has the wherewithal either financially or intellectually."

But trailing in the polls, Brown gambled on the 1.1 million non-registered but eligible Latinos with targeted voter registration drives. As an offshoot of the California Democratic Party's get-out-the-vote program, the Brown campaign launched the "Latino Vote Project"

Elizabeth Lopez and Eric Wahlgren are reporters for the California News Service, a project of the Graduate School of Journalism at the University of California, Berkeley.

aimed at registering Latinos in east Los Angeles and the Central Valley.

"Our effort is much more ambitious and serious than in previous years," said Bill Rukeyser, a Brown campaign press aide. "There's a potential for a huge payoff in this campaign and a payoff for Latino communities around this state."

In the Central Valley, the Brown campaign had netted about 9000 new Latino voters by early October, just 1000 short of its goal. In total new voters, Democrats hoped to register 600,000 across the state by October 11th. The debut of Brown's 30-second Spanish-language ads scored public-relations points with Latino observers and politicians. But political consultants called the ads more symbolism than wise campaign strategy.

"There are so few monolingual Latino voters," said Heidi von Szeliski, a Democratic pollster. "Latino voters will be reached by the English language media."

The Wilson campaign chose to target occasional Republican Latino voters through its vote-by-mail campaign. "Latinos for Wilson" counted on Latino professionals and small-business owners to deliver votes. "The focus is mostly on registered Republican Hispanics and convincing them to stay with the governor," said Roberto Vellanoweth, Northern California coordinator of Latinos for Wilson.

Though Republicans did not set official targets for Latinos, the party planned to register 244,000 new Republicans statewide. Leo Estrada, a UCLA professor of urban planning and expert on Latino demographics, estimated both parties together could register 150,000 new Latino voters between June and October.

The 1994 voter drives were perhaps energized by the specter of Dianne Feinstein's 267,000-vote loss to Wilson in 1990. So while Brown courted Latinos to narrow her gap, Wilson reached out to his Latino core to hold his lead. Yet von Szeliski cautioned against relying too heavily on a bloc Latino vote.

"I think campaigns look at a group and say, 'This is the margin of victory,'" von Szeliski said. "The real winning strategy involves building a coalition. It's not going to be just Latinos. Candidates must broaden that base to include for example, women, younger voters and African Americans."

In a narrow election such as the 1990 Feinstein-Wilson gubernatorial race, however, some observers insist Latinos could give a candidate a slight edge. "One million Latino voters can make the difference," Estrada said. "They have the potential to swing almost any race that is of any value."

In contrast to the 1994 race for governor, the two candidates vying for California's U.S. Senate seat appeared none too concerned about the Latino vote, despite mid-October polls showing Democrat Dianne Feinstein and Republican Michael Huffington in a dead heat. Huffington inaugurated his Latino outreach effort with "Viva Mike." Described by Huffington spokeswoman Jennifer Grossman as a "two-way telephone," this loose coalition of Latino professionals met with other Latinos to discuss Huffington's platform, while offering Latinos a chance to voice their opinions.

"We are reaching out to Latino voters not as members of some oppressed, aggrieved minority, i.e., victims," Grossman said. "We are reaching out to Latinos as shopkeepers, entrepreneurs, educators, members of the community."

Democrats scorned Huffington's outreach as retrograde and simplistic. "I think it's a throwback," said George Pla, Art Torres' campaign chairman. "All the statewide campaigns need to grow up. Viva Duke, Viva Wilson, Viva whoever is appealing to a fringe voter and patronizing them with mariachis and all that stuff."

Feinstein, widely criticized by Latinos for ignoring their voters in the 1990 governor's race, largely neglected the Latino vote during her 1994 Senate campaign. Feinstein' campaign manager Kam Kuwata said Latino outreach was part of a "united" Democratic Party voter drive. But many Latino politicians and activists believed the campaign rhetoric concealed a non-effort.

"I have seen Kathleen Brown reaching out to get base and marginal Latino votes, and I have not seen that effort on the part of Dianne Feinstein," said Assemblywoman Martha Escutia (D-Huntington Park). Because Latinos have traditionally been underrepresented in government and ignored by candidates, she said, they tend to be more skeptical of wholesale media-driven campaigns of a Huffington or a Feinstein. Latinos respond better to politicians who go out of their way to reach out to them.

"Like most ethnic groups, you have to approach Latinos in a retail manner," said Marty Stone, a Santa Barbara-based Democratic consultant who's worked on campaigns for several Latino candidates. "If they see you again and again during the campaign, they know you'll be there for them when you're in office."

According to Southwest Voter's Gonzalez, first-time Latino voters would prefer to see a "brown face in a high place," but for repeat voters, issues and accountability take on more importance. And often, how their own local Latino representative stands on an issue will influence the way they vote.

"Latinos respond to the endorsement of their local elected officials," said Fernando Guerra, a political science and Chicano studies professor at Loyola Marymount University. "When they get a piece of mail from Escutia or Solis supporting a Kathleen Brown or a Pete Wilson, that carries more weight than getting a note from Vic Fazio in Sacramento."

But in this election year, it was more the issues than the politicians themselves that led Latinos to back a particular candidate. Brown's early opposition to Proposition 187, which would deny health services and education to undocumented aliens, earned her the support of Latino legislators and political groups. Yet Latinos in general were divided over the proposition. A September *Los Angeles Times* poll, disputed by many Latino observers and political advisers, showed 52 percent supported the initiative before any ad campaigns had been launched. And while many Latino voters used the candidates' positions on 187 as a litmus test, they also paid attention to other issues.

Politicians claim Latinos, like everyone else, are concerned about the Big Three: jobs, education and crime. And though Gonzalez agreed it's politically correct to say the issues are universal, he emphasized the differences. "It is popular to say Latino issues are the same as for everyone else," he said. "There is some truth to that. But we have a different take on issues than other constituencies." While the average California voter is concerned with job replacement and job retraining, Gonzalez said the majority of Latinos worry more about the availability of blue-collar jobs and the level of minimum wage.

"It's the economy, stupid,' works really well in California with Latinos," Gonzalez said.

And because the Latino population is the state's youngest — the average age is 24 — education is a top priority, particularly primary and secondary education. Two of three Brown television ads in Spanish stressed computer training, anti-drug programs and more teachers for California's schools. And for working parents with children intending to enroll at California's public universities, Brown's loudly trumpeted pledge to decrease university fees resonated with California's Latinos.

"If we don't have access to education, then we won't have access to those jobs," said Assemblywoman Hilda Solis (D-La Puente).

According to "Latinos for Wilson" coordinators, the governor's positive message to Latinos was initially obscured by "very damaging" television spots that depicted Mexicans running across the border while a narrator intoned, "Every day they keep coming." Though the governor used the ads to appeal to voters angry about illegal immigration, Vellanoweth said many Latinos misinterpreted the ad's purpose.

"We were concerned that the message was one of criticism to Latinos and felt very strongly that it was important the right message got to the media" said Vellanoweth, who asked Wilson to pull the ad. "The governor has always emphasized services for Latinos and affirmative action. I know that he's a sensitive and caring person."

Though the ad continued to run in the Bay Area through early October, Wilson was able to appeal to Republican Latinos by sounding his support for small business, tax breaks, pre-natal care programs and tough laws on crime. According to Maullin, this message fared well with the members of the growing Latino middle class, who now make up more than one-third of the state's Latino population.

"You're finding an increasing number of Latinos who find the Democrats are not speaking to their particular concerns," Maullin said. "The Republican economic and social conservatism has a certain ring."

Though Latino observers predict the majority of Latinos will register as Democrats, they said Republicans will continue to chip away at this block of faithful Democrats in the future. Today,

fewer Latinos identify with Presidents John Kennedy and Lyndon Johnson and Governors Pat and Jerry Brown, who helped establish the Democratic Party as a champion of minority rights.

"Democrats had non-Latino leaders who were strong proponents of participation and breaking down economic barriers," Maullin said. "Since that time, the Democrats have been out of power. There are less heroes."

Tapping the full potential of the Latino vote will involve more than simply pitching the right message. Both the Republican and Democratic parties must confront first a salient belief among Latino legal residents that there's little benefit to becoming a citizen. Additionally, Latinos are also California's youngest racial group and young people traditionally don't go to the polls.

"Young people just don't register to vote as do older people," Maullin said. "It has little to do with ethnicity. Politics just isn't as critical."

There are some encouraging signs. Latino voters now make up 11 percent of the electorate, up from 7 percent in 1988. And the naturalization rate for Mexican immigrants averages around

21,000 a year, up from 14,000 in 1984. Still, both parties say they haven't done enough to reach out to Latinos.

"I don't think we've done a very good job," said Jonathan Sanchez, state chairman of "Latinos for Wilson." "We should try a little harder."

Democrats agree their party can no longer take the Latino vote for granted. Escutia warned that Democrats must continue to cultivate the constituency to retain this once natural base of support. "Our community is a very young community," Escutia said. "In '96 or '98, a lot of these kids are going to be 18 years old. I'm hoping the Democratic Party will give them a very good reason to vote Democratic."

According to Arturo Vargas, vice president for public policy at the Mexican American Legal Defense Fund, political parties are making a "tactical mistake" by failing to recognize the long-term electoral potential of California's Latinos. "The Latino vote is up for grabs," Vargas said. "At what point are people going to say 'We need to make a change here and bring this population in?'"

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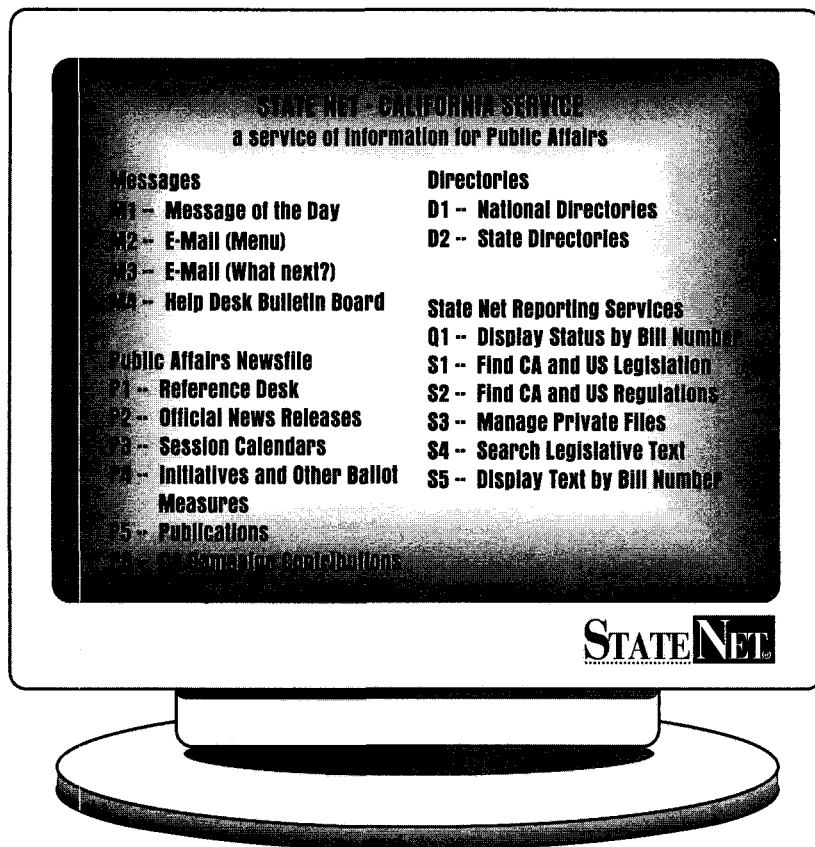
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"Astroturf lobbying"

Powerful (and not-always-popular) special interests influence the Legislature from behind the shield of others

By Bill Ainsworth



When state Senator Leroy Greene's (D-Carmichael) office received a barrage of calls this past April from senior citizens supporting a bill backed by oil companies, his staff wondered why so many Sacramentans were interested in such an obscure issue. But as the calls started tying up his phone lines, a seething Greene realized he was on the receiving end of an elaborate — and he says deceptive — public-relations blitz.

The lobbying campaign is one front in a war that oil companies are waging against California regulations requiring auto companies to sell electric cars. The industry spent hundreds of thousands of dollars to generate phone calls and postcards from ordinary citizens to create the illusion of grass-roots support for the bill.

The bill itself would have made it more difficult for utilities to service electric cars. But instead of broadcasting its

own support for the legislation, the oil industry enlisted the help of a respected consumer group, Toward Utility Rate Normalization. TURN, which believed the legislation would prevent utility bills from going up, lent its name to a mass mailing that the oil companies quietly bankrolled. The bill itself quietly died before the end of the legislative session.

The oil industry's effort is just the latest example of an increasingly popular lobbying technique — termed "astroturf" by critics because the "grass-roots" are artificial. Three years ago the insurance industry spent \$1.5 million encouraging citizens to write and call legislators to express support for no-fault auto insurance. During the past year, Philip Morris has spent hundreds of thousands of dollars to drum up small-business opposition to smoking restrictions. These efforts allow unpopular special interests to hide behind "white

hat" groups — such as consumer activists, environmentalists, senior citizens and small business owners — whose motives are considered above suspicion. In some cases the public-relations firms hired by special interests actually create "grass-roots" groups.

As part of "astroturf" campaigns, the businesses fund phone banks, petition drives and mass mailings — methods refined by citizens' groups.

"Big business tries to make it look like they have a bunch of citizen support," says Ruth Holton, executive director of California Common Cause. "It's extremely deceptive." Such campaigns, Holton says, undermine efforts by genuine citizen activists. "How is a legislator going to tell the difference between a big business effort and a genuine effort?"

Assemblyman Terry Friedman (D-Los Angeles) first encountered "astroturf" campaigns while sponsoring anti-smok-

Bill Ainsworth is a Sacramento reporter for the San Francisco Recorder.

ing legislation. His AB 13 banned smoking in all indoor restaurants and nearly all workplaces. Tobacco industry lobbyists decided that a lobbying campaign led by tobacco barons might not impress lawmakers. Instead, they decided to find ordinary, salt-of-the-earth citizens who also opposed the restrictions. The industry's high-powered, high-priced public-relations firm organized "grass-roots" small business owners and ferried some of them to Sacramento.

Meanwhile, Philip Morris already had experience creating and sustaining "grass-roots" groups. Three years ago, the tobacco giant hired the Dolphin Group, a Los Angeles public-relations firm, to form the California Business and Restaurant Alliance. Friedman calls it a front group for the tobacco industry. Located in the Dolphin Group offices, the alliance has recruited witnesses, published newsletters, and commissioned economic studies against local smoking restrictions.

Last year, when Friedman threatened statewide restrictions, the alliance turned its attention to Sacramento. Alliance members testified eloquently against

AB 13 at a Senate Judiciary Committee hearing in April. Their opposition was especially helpful because the established restaurant group, the California Restaurant Association, supported the bill. One witness, Maurice Prince, told the committee that the anti-smoking bill would drive customers away from her popular Los Angeles eatery, Maurice's Snack & Chat. "I hate for you to tell me what I can do with my restaurant," she said. "I have worked day and night for my restaurant." Prince, who was later whisked from the hearing by a tobacco industry driver, said she was recruited into the effort by the Dolphin Group.

Tobacco lobbyists had shrewdly arranged for witnesses from key senators' districts. Prince, for example, owns a restaurant in Senator Diane Watson's (D-Los Angeles) district, while Rudy Martinez, another witness, owns a restaurant in Senator Art Torres' (D-Los Angeles) district. Both lawmakers are sensitive to problems faced by minority business owners.

After the testimony, Torres and another Los Angeles-area Democrat, Charles Calderon, moved to gut AB 13 by allowing smoking in restaurants and wiping

out tough local ordinances. Both senators said they were responding to the testimony by "grass-roots" opponents. "I'm concerned about [Martinez'] restaurant because that's in my district," said Torres at the hearing.

Torres later changed his mind and dropped his amendments after Friedman threw a fit. A candidate for insurance commissioner, he had been stung by criticism that he was hiding behind "grass-roots" opposition while actually doing the bidding of the tobacco industry.

Dolphin Group President Lee Stitzenberger, however, denied that his firm was running an "astroturf" campaign. "These aren't people made out of whole cloth. They are concerned business people who oppose smoking restrictions."

Friedman's bill eventually passed the Legislature and was signed into law by Governor Pete Wilson. It would be overturned, however, by the passage this month of Proposition 188, also sponsored in large measure by Philip Morris. The campaign to pass the initiative is being run by The Dolphin Group.

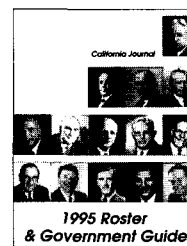
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anti-smoking bill, the tobacco industry created a new "grass-roots" opposition group. In another recent astroturf campaign, the oil industry exploited its alliance with an existing citizens' group — TURN. Earlier this year, TURN, which fights to keep utility bills low, sponsored legislation to make it more difficult for utilities to invest \$600 million in the equipment needed to service electric cars. Under California anti-pollution regulations, by the year 1998, electric cars must make up 2 percent of the sales of major automakers. TURN argues that the investments are so speculative that utility company shareholders, not ratepayers, should bear any risk associated with them. Utilities and their environmentalist allies disagree, contending that the investments will help them manage their electricity more efficiently and eventually lead to lower rates.

Oil companies quickly realized that the bill had important implications for the future of electric cars. Without a large investment in charging facilities, electric cars cannot be driven conveniently. The Western States Petroleum Association, the oil industry trade group, wrote a letter to senators on the energy committee, arguing that the investments amount to an unfair subsidy to a competitor.

But the association's public-relations firm, Burlingame-based Woodward & McDowell, did not bring oil-company executives to Sacramento to testify for the bill in public. Instead, it organized "Californians Against Utility Company Abuses," a coalition including TURN, the California Manufacturers Association and other large energy users. Next, the firm sent 200,000 letters to taxpayers, urging them to stop a plan "cooked up" by utilities to "increase your gas and electric rates by \$600 million to subsidize their profit-making ventures."

Warning that "powerful utility company lobbyists are already working behind the scenes to defeat these consumer-protection bills," the letter urged citizens to return postcards supporting TURN's legislation. It was signed by Audrie Krause, executive director of TURN, and Howard Owens, director of the Congress of California Seniors. The citizens who received the letter were not told that it had been written by the oil industry's public-relations firm and paid for by the industry.

Provoked by the alarming letter, 50,000 people returned postcards to Woodward & McDowell, which then

forwarded the cards to legislators' offices. The firm then organized phone banks. It called citizens who had returned the postcards, and patched them in directly to the offices of their lawmakers. The phone banks targeted the 11 members of the Senate energy committee, which planned hearings on Senate Bill 1819. In this case, however, the campaign may have been too elaborate for its own good. Many citizens were confused by the calls from the phone bank. When they were patched in to government offices, some did not know whether they opposed or supported the bill.

Senator Greene said his district and Capitol offices took calls for two days from constituents who believed that his office was calling them. His staff members grew increasingly irritated. At the hearing, Greene and other senators were so angry that they forced the bill's author, Senator David Kelly (R-Hemet), to put it on hold.

Senator Steve Peace (D-Chula Vista) called the campaign a "sleazy tactic" because the mailing failed to mention oil-company funding. "You ought to make a public apology to every member of the Legislature," Peace told oil lobbyists.

Senator Tom Hayden (D-Santa Monica) said TURN's alliance with the oil industry had tainted the consumer group. "I find it to be the end of the independence of TURN," he said. Krause insisted that her group's association with the oil industry does not compromise its independence. She and oil industry representative Scott Macdonald of Woodward & McDowell defended their effort, arguing that it was a coalition, not an "astroturf" campaign.

"These are concerned citizens responding to an issue that is important to them," said Macdonald.

Both the tobacco and oil industry campaigns demonstrate the increasing sophistication of statehouse lobbying. It used to be enough for tobacco and oil lobbyists to strut around the Capitol, whispering in lawmakers' ears and making strategic donations. Now, however, these and other industries have found that their chances of success increase if they build coalitions with citizens' groups — even if they have to invent their own group. Critics charge, however, that the special interests are not only building coalitions with grass-roots groups, but using them — and hiding behind them — for their own selfish purposes.

"These guys should have built the

Stealth bomber," said one supporter of Friedman's anti-smoking bill. "They are so good at disguising themselves."

Common Cause supported a bill by Terry Friedman this year that would have required more complete financial disclosure of astroturf and other lobbying campaigns. Under its provisions, clients of lobbyists would have had to itemize the money they spend on activities like economic studies, phone banks and public-relations campaigns.

"They shouldn't be able to hide their activities," Friedman said. "This is a sunshine bill."

At the end of the 1993-94 session, the California Manufacturers Association helped defeat Friedman's bill, arguing that it would have imposed burdensome record-keeping requirements. Although Friedman himself is leaving the Legislature to become a Los Angeles judge, Common Cause's Ruth Holton plans to seek a new author next year. She expects to see lobbyists rely more on public-relations experts to mobilize support for their clients' positions because term limits will weaken their relationships with lawmakers. 🏠

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The Bottom Line

GOVERNMENT FINANCE

BY SUSAN RASKY

Sex and the cynical electorate

At last it can be told.

For the better part of three decades, political scientists, pollsters and enlightened media pundits have lamented the declining influence of political parties in American life. Low voter turnout, mistrust of government, negative television spots, the corrosive role of "special interest" money in campaigns — all of it, these chroniclers of the electorate declare emphatically at the close of each election season, can be traced to the breakdown of a party system in which every candidate and every voter once knew his rightful place.

The most recent and alarming picture of the fragmented electorate comes in a survey by the Times Mirror Center for the People & the Press. As *Los Angeles Times* political writer Ronald Brownstein put it, the survey "portrays a nation roiling with resentments and anxieties: cynical toward government, hostile to immigrants, sharply divided along racial lines over the responsibility of government to help the needy, suspicious of the media, uncertain about the future and increasingly untethered to either of the two major parties."

And, according to new findings by the National Opinion Research Center at the University of Chicago, about as sexually adventurous as the Bobsey Twins. Thanks to the University of Chicago research — billed as the most definitive survey ever of American sexual behavior — it is finally possible to correlate sexual and political habits. Preliminary (and highly selective) analysis suggests that what ails the American political system is not a breakdown of traditional parties or party loyalties, but plain and simply a lack of interesting sex, or for that matter, any sex at all.

Overall, the University of Chicago findings reveal an American population where most married couples are monogamous, have more frequent sex than singles and where more than a third of adults have sex only a few times a year or never. So prevalent is the social and political alienation that by a ratio of three-to-one among men and 30-to-one among women, American adults say passively watching a partner undress is more appealing than group sex.

Arousing as these general findings are, it is the subcategories of each survey that provide the most fertile material for analyzing the interplay between sex and politics in American life. For example, among the 10 distinct clusters of adults identified in the Times Mirror study, the most politically disengaged are the so-called "bystanders" — largely under 30, somewhat more female, poorly educated and financially pressured. More than half of this group classify themselves as independents, about a fourth call themselves Democrats and 15 percent identify with Republicans.

Slotting this group into the appropriate categories in the sex survey reveals that 68 percent of Americans aged 18 to 24

and a whopping 78 percent of those aged 25 to 29 have had one or fewer sex partners in the past 12 months. Fully 17 percent of the under 30 population — a group long recognized as the least likely to vote — reported no sex during the last year.

By contrast, a political cluster dubbed "enterprisers" in the Times Mirror survey and described as predominantly white, male, middle-age, college educated and relatively affluent, appear to be a good deal more libido driven than other population groups. According to the University of Chicago research, adults with college or advanced degrees are about twice as likely to have had 21 or more sex partners since age 18 than those who never graduated from high school.

Politically, this group is anti-government and anti-social welfare, but at the same time is pro-business and has strong faith in America. Nearly three-quarters identify as Republicans. While extrapolating any firm predictions on voting trends for 1996 from this data is risky, it does seem safe to hypothesize that the high level of sexual activity among the "enterprisers" could account for recent strength in the polls by GOP Senate and congressional candidates.

On the other hand, the data also show that members of this cluster share certain traits with President Bill Clinton. That suggests they might be wooed to the Democratic camp if the president makes good on his pledges to shrink the size of government and end welfare as we know it before the 1996 elections.

Some political observers have interpreted the Times Mirror survey to mean that the country is ripe for a third party. Indeed, 68 percent of a political cluster the survey labeled "new independents" and 56 percent of a group termed "the embittered" say they are open to a new choice. But when those responses are factored into the University of Chicago survey on sexual behavior, the inclination to experiment with something outside the conventional two-party system seems considerably less pronounced. "New independents," for example, are predominantly young to middle-aged working females who are strongly environmentalist, but have a low militancy level. A scant 1 percent of the women surveyed by Chicago researchers say sex with a stranger would be very appealing, and 80 percent say it wouldn't be appealing at all.

Edward O. Laumann, a sociologist who helped lead the team conducting the University of Chicago study, said the results will be "empowering information" to huge numbers of American adults who are exposed to the steamy sex of television, movies and advertising and then feel they must be missing something.

Presumably, Dr. Laumann was not referring to political advertising ☹.

The local government lament

Funding crises plague strapped counties, cities in fight for fiscal survival

By Nancy H. Martis

When Merced County finished budgeting its revenues for the year, it became a local government imprisoned. With 90 percent of its money going to state-mandated programs and services, the county simply ran out of funds. In short, there was no remaining 10 percent to budget toward the operation of the county.

When we had taken a breakdown that takes health and welfare, the judicial system, then local public safety under the new maintenance-of-effort requirement into consideration, our revenues were locked up," said Clark Channing, chief administrative officer for Merced County. The county found itself in need of at least \$6 million just to meet its operational obligations through the end of the year. Seven other counties — Butte, Del Norte, Humboldt, Lassen, Mendocino, Siskiyou and Yolo — were in a similar fix, locked into funding specific services and coming up short thanks to their jailer, the state.

Within the last month, counties have been handed a rough sentence. Governor Pete Wilson's actions during the last week of September were significant for the state's financially strapped local governments, particularly counties. He signed into law the county-feared — yet inevitable — AB 2788 by Assemblyman Willie Brown Jr. (D-San Francisco), which requires local governments to maintain a public safety funding level, or "maintenance of effort," equal to the previous year in order to receive monies from the state's half-cent sales tax, authorized under Proposition 13 in 1992. Two days later, he vetoed a one-time county bail out measure that would have shifted to eight counties — including Merced —



Illustration by Norm Hines

a total of almost \$14 million in property tax revenue earmarked for schools.

It's the county lament: nearly 90 percent of all services run at the county level are state-mandated programs. Counties serve as "agents of the state" in administering more than 250 different kinds of programs, an obligation resulting from the state constitution and its statutes. The county is responsible for the "social well-being" of its residents, providing law and order on the streets, a court system, a county jail system and basic food assistance, among other things such as development.

Yet because of these so-called "Big M" mandates, county boards of supervisors generally lack policy discretion over mandated minimum service levels. Therefore, the more mandates, the tighter the fiscal constraints.

"We are truly under siege right now," said Dave Oppenheim, senior legislative analyst for the California State Association of Counties. Since 1992, the state has shifted \$2.6 billion in property tax monies away from counties and directed it to schools, as required by voter-approved Proposition 98, passed in 1988. The merits of securing dollars for education aside, Oppenheim says that because the state's 58 counties are locked into funding state mandated programs or services — which ties up 90 percent of their budgets — the remaining 10 percent in discretionary funds leaves little or no room for improvements.

According to the state controller's office, which keeps the

authoritative record of expenditures and revenues for California's counties, the property tax comprises the largest single portion of revenue. In 1991-92, for example, property taxes accounted for \$5.7 billion, or 22.6 percent, of county revenue. Two years and two property tax shifts later, it was minus \$2.6 billion, a huge blow to counties' ability to finance themselves along with their profusion of mandated programs.

Cities, on the other hand, have discretion over their entire budgets and are able to identify and allocate funds according to their various priorities, although cities, too, are strapped. Counties have begun over the past few years to complain that they shoulder more of the burden for social costs and suggest cities must pick up some of the slack for such things as booking fees in jails and the costs of health and welfare. One city policy expert who declined to be identified acknowledged that the relationship between cities and counties is almost marriage-like. "The arguments we have are fiscal," the source said. "One of the biggest problems we face is that cities and counties do not work with each other. The county's goal lately has been to portray cities as being really, really wealthy and to bring [cities] down to their level, but we need to figure out a way we can make everyone better."

So where does the solution lie? A new Constitutional Revision Commission has been formed under Wilson and has been meeting over the past five months. It is charged with the task of evaluating and recommending fundamental changes to the constitution, all for the betterment of modern-day government's functions. Wilson noted in his veto message of the county bailout bill, "I remain convinced that the state and

counties must work together to restructure our fiscal and program structures so that counties have the responsibility and ability to manage their resources and program priorities. It is more than regrettable that supervisors do not have more flexibility to set their own local priorities."

But the city expert queries, "Do you think the way to get cities and counties to stop fighting is to put it in the constitution? That sounds pretty rigid to me."

Some counties have toyed with the idea of actually seeking funding solutions, only to find themselves in court defending their creativity. One such example is a first-of-its-kind ballot proposal in Sacramento. Voters are scheduled to decide November 8th on a half-cent sales tax to benefit public safety, which includes law enforcement, children safety and adult mental health. If the measure gets two-thirds voter approval, the expected \$57 million the tax would generate could be earmarked for law enforcement, courts and protective services; with a simple majority, the money would go into the general fund. A lawsuit filed at the end of August by the Howard Jarvis Taxpayers Association made an unsuccessful attempt to block the measure from the ballot, claiming that it violated the state constitution's single subject rule; however, even if it passes, a court challenge is inevitable.

Other counties desperate to raise revenues have experienced similar dilemmas with voter-approved tax increases, passing them with a majority vote and then being challenged in court by anti-tax groups, which have prevailed recently in Monterey, Santa Clara and San Diego counties. Courts have followed the Supreme Court decision of *Rider v. San Diego County*, which prohibits an entity from operating as a county body to provide services and try to "make up" for funds lost due to reduced property taxes without the benefit of a two-thirds vote.

With such foreboding legal challenges, getting creative to raise revenue is increasingly difficult for local government. Yet many are taking a stab at other funding solutions, such as public-private partnerships and benefit assessments, all of which Peter Detwiler of the Senate Local Government Committee says are "absolutely crucial in the absence of major structural reform. The demand for public service didn't decrease, but voters have walled off certain actions and the Legislature has walled off certain fees. When Proposition 13 passed, they didn't say 'no parks,' they said, 'You don't get the money.'" Other sources, such as sales taxes, parking fines and license fees, account for a small portion of local county revenue since big-ticket revenue generating operations usually are within incorporated city limits.

Far from resolved, the subject surrounding local government and its financing and the question of restructuring is hot and near-desperate, as evidenced by the plethora of reports on local government woes. One such analysis was compiled by the Senate Local Government Committee following an interim hearing in December on local revenue increases. Entitled "Public Revenues, Public Awareness," the report summarizes conclusions from the hearing that indicates general agreement on maintaining public facilities and protecting citizens from overtaxation. Yet within the Capitol, throughout the cities and counties, there is resounding agreement over at least one concept that sounds cliché but is in all likelihood the only hope: To free government from its fiscal handcuffs, all forms must work together. Otherwise, the city policy expert foresees, "We'll all be incompetent and unpopular." 🏛️

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The California Roundtable makes a pitch for education reform, and a little help for business on the side

By J.A. Savage

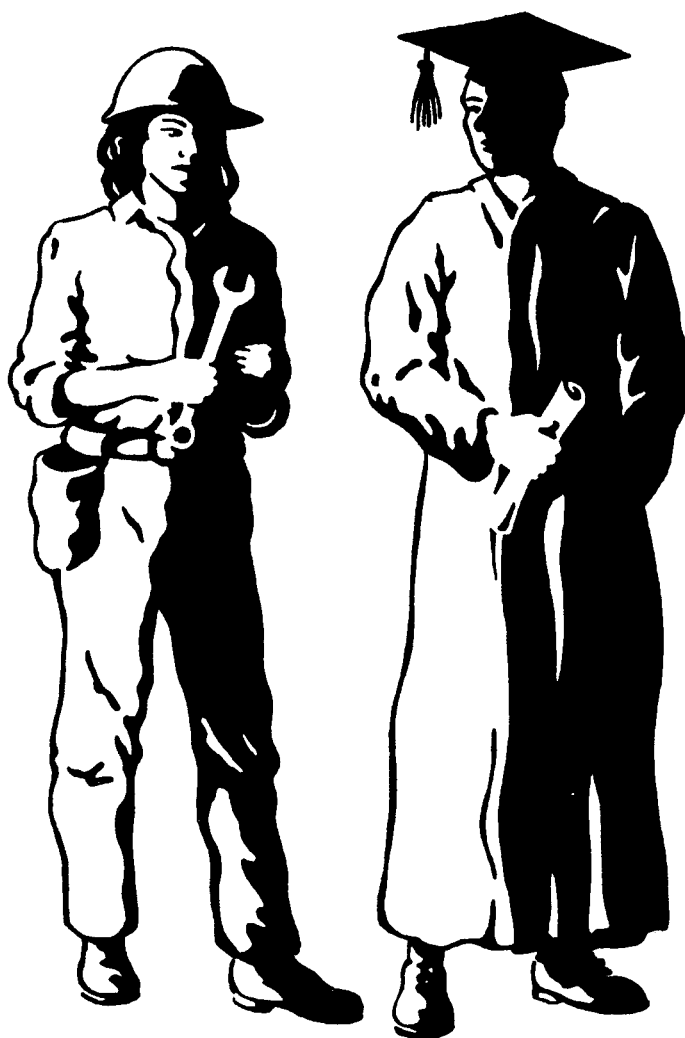


Illustration by Rob Wilson

Eding its way into the top of the educational reform vocabulary these days is an expensive, well-researched and highly endorsed plan from the California Business Roundtable. Comprised of executives from 80 of the state's largest corporations — with ubiquitous names like ARCO, Bank of America, Chevron, IBM, Lockheed, TRW and Texaco — the Roundtable just may be the driving force, with the money and political clout, to transform the state's schools and provide themselves with the type of brains and brawn they need to run their businesses.

Some educators and politicians worry, however, that in the process of educational reform, business may narrow the focus of the state's multi-disciplinary education to one that serves its interests, taking basic job training off the company books and making it a lifetime system facilitated by the state.

This is the second time in recent memory that the Roundtable has tried to influence educational reform. The last time that it threw its weight behind reforms occurred during the administration of former Governor George Deukmejian, and they were rather successful at pushing a "back to basics"

curriculum being advanced by then-Superintendent of Public Instruction Bill Honig, with whom Deukmejian often quarreled.

"Some of the reforms [the Roundtable] wanted were ultimately adopted only after strong support from the governor, legislative leadership and support of the superintendent of public instruction," recalled Steve Merksamer, then Deukmejian's chief of staff. But Merksamer added that while many of the Roundtable's members were individually rich and influential, they do not have the lobbying power as a group to be effective.

Lobbying muscle may make less difference in this go-around, because both candidates to succeed Honig as superintendent support the Roundtable's policies. Not only that, a federally mandated task force on education reform, scheduled to make its recommendations just prior to the November election, is stacked with Roundtable members.

Education reform is in the offing. "There's consensus about change in the state. It seems time for a big, omnibus sort of bill, and there's opportunity for leadership to emerge," noted Bob Palaich, director of policy studies for the Education Commission of the States, a non-profit entity that assists governments with reform.

The Roundtable's plan, called "Mobilizing for competitiveness: a call for action from the California Business

J.A. Savage is a freelance writer from Oakland.

Roundtable," includes:

- Appointing an Education and Economic Development Council, a government-business collaboration to "develop policies that assist small, medium and large firms to become high-skill, high-wage organizations by providing appropriate education and training, and link it to employment." For instance, the Roundtable suggests that state universities and community colleges provide increased employee training. Both venues "should be enabled to provide more direct technical assistance to business and industry. In addition, "the [CSU] system's applied research function should be strengthened and linked more closely to applications that could benefit the economy."

- Issuing certificates of competence instead of just diplomas. In other words, certificates and degrees based on industry standards would be more acceptable to business. The Roundtable notes, "California needs a clear education and training infrastructure that would provide every Californian with opportunities to achieve higher skills and continuously upgrade them — and enable business to trust and use this system to raise the skill level of its employees. Its scaffold should be a series of increasingly higher skill standards and certifications set by business (and/or other bodies) in collaboration with labor and educators."

- Using rewards instead of regulations. Schools that turn out, for example, a high proportion of certificated students would be financially rewarded. While the current system is based on a dollar amount per student, the Roundtable's plan would have "an allocation for base funding tied to enrollment

and need, plus an incentive grant for performance. Effective programs, rather than institutions, could then be funded."

- Mandating a school-to-career structure, requiring students to select a career theme and focusing classes around that goal. This would extend beyond high school. The vision is much like apprenticeship programs in European countries, notes the Roundtable, "in which educators and employers not only work closely with each other to coordinate the needed training for jobs, but provide smooth transitions for students from school to employment."

For adults, the plan includes:

- Coordinating Workforce Transition Centers that integrate other governmental training, like employment development, with colleges and businesses. The Roundtable calls it "one-stop, user-friendly services," where "clients would be able to obtain assessment, receive counseling and referral to job opportunities and/or community programs and services, enroll in an education or training program, or take a self-guided interactive training course at a computer terminal." This benefits Roundtable members and other employers because the transition centers also would offer recruitment services, "allowing businesses to access a large regional or state labor pool." The centers would also "guide the retraining of workers threatened with downsizing or dislocation."

- Teaching basic skills for either illiterate or non-English speakers through Adult Basic Education centers run by "community academies." The Roundtable would promote common standards and guidelines for such a program, to be administered by community colleges or adult high schools. Successful completion of the program would earn the student a Certification of Foundation Skills.

Jere Jacobs, assistant vice president of Pacific Telesis and the Roundtable's Education Task Force deputy, calls the plan "revolutionary." He said that no one else in the policy debate is trying to "prepare people for the 21st century economy." The Roundtable refused to disclose how much it has invested in preparing the plan, but sources say it runs into the millions of dollars.

Although the plan has been floating around since the beginning of 1994, recent events are propelling it on its own fast track. On April 20th, the U.S. Senate passed the School-to-Work Opportunities Act, a measure designed to establish the basic Roundtable framework partially funded at the federal level. California received \$750,000 from the Department of Labor to draw up implementation plans through a "school-to-career" task force appointed by the governor on June 29th. Of the 21 members in the near-exclusively Republican task force, eight are business representatives, five are educators, and another five are politicians. Four of its members are straight from the Roundtable — Jacobs, Andy Galef of The Spectrum Company, Tom McKernan of the state Chamber of Commerce, and Phillip Williams, a retired vice-chairman of Times Mirror. Several others are contributors to Governor Pete Wilson's campaign. The task force was to have completed its recommendations on education reform and submitted them to the governor by October 31st.

Currently, both candidates for superintendent of public instruction — Assemblywoman Delaine Eastin (D-Fremont) and Maureen DiMarco — have expressed support.

"The business' plan is based on the best thinking and writing on education," noted Eastin. DiMarco said, "They're

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absolutely on the right track."

Educators, on the other hand, are torn over support for the Roundtable's scheme. "The Roundtable has collected some of the more innovative ideas already being done," said Kristin Leimkuher, who studied the plan as a member of the Committee of Concerned Educators. "But our biggest concern is that it legitimizes separation of students by ability instead of interest, which, at an early age, is most likely a function of socio-economic class. We want reform to provide opportunities instead of giving a kid a certificate of mastery at 16 and saying, 'See ya at Burger King.'"

Leimkuher said she fears the certification concept, as well as the exclusively business character of the reformers, would lead to "good little passive workers." "The Roundtable gives lip service to teaching critical thinking skills," she said. "But will they be taught keyboard entry instead of critical thinking?"

Ironically, Leimkuher has cautious support from a conservative Republican — Assemblyman Ray Haynes (R-Murieta). "The Roundtable expects [Republicans] to come along with them, but I don't always agree," he explained. He is concerned that the Roundtable's plan would "water down academics. At K-12, we should strongly support reading, writing and history so a child has enough knowledge to make the choice about where he wants to go in life," said Haynes, adding that a "strong academic base is the genius of American education." He agreed, however, with the Roundtable's adult-education policy and the plan for rewarding schools, as long as the rewards are locally controlled.

Neither Eastin nor DiMarco worry that students will become cogs in the state's corporate economic machinery. "We would still have artists and intellectuals," said Eastin. "It would just help children follow their aptitude and interest." DiMarco said businesses don't want passive workers. "The Roundtable's definition of skills is critical thinking," she said, "the ability to learn how to learn." Both Eastin and DiMarco count Roundtable members as supporters during the election.

The Education Commission's Bob Palaich and other educators questioned whether the Roundtable's plan would refrain from punishing those who, at a young age, choose one career and later decide to change. Another educator, who asked not to be identified, said, "Knowing the reality of counseling, that's just not going to happen."

Palaich also stressed that the diversity of the state's student population demands local flexibility. A mostly white school in the Sierra foothills has little in common with a culturally diverse school in Oakland — and educators must be able to take professional development, curriculum, assessment and financial help that will fit their needs. The Roundtable's plan allows for flexibility, but financial rewards would be doled out on a narrow achievement basis. Rewards would go to those who turn out students competent in business and vocational skills.

The Roundtable's Jacobs glossed over dissension. He said the group does not anticipate disagreement with the "direction" of reform, from either the religious right or educators. He believes an increased focus on skills would benefit not only business but students and taxpayers, too. "A lot of adults between 16 and 26 languish around before finding what kind of work they want to do. That's a cost to the state," said Jacobs.

Senator Gary Hart (D-Santa Barbara), outgoing chairman

of the Senate Education Committee, agreed that the slacker tradition "loses very productive years."

Some costs to taxpayers are acceptable to the Roundtable. "We propose to finance the development of human resources much as we now finance the development of physical infrastructure — through a mix of bonds, loans and tax incentives. We believe the payoff to our workforce and to the economy from human-resource development will make this strategy a wise investment," noted the Roundtable report. The bonds — so-called "technology bonds" — would be used to buy hardware, software and pay for teacher training. Taxpayers, through the general fund, would pay back both the principal and interest on the bonds, much as they now do with bonds used for construction.

Finally, the plan calls for free loans and tax incentives for businesses; "forgivable" loans to be available to companies that "must change what they produce in order to compete." In addition to education reform, this smacks of a bailout for businesses that have not invested in their own makeovers, have been unable to adapt to change and otherwise might wither in a free-market economy. Also available would be tax breaks for companies that invest in retraining workers for changing methods of production.

In all, the Roundtable plan is an ambitious attempt to point California's education system toward a future where the state's workforce will have to evolve in very different ways than in the past. But parts of the plan also are self-serving and seek to cushion businesses from the vagaries of a changing global and national economy. 🏠

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Clinton's Californians

The message that crawls across the bright blue screen of the computer in the Old Executive Office Building next to the White House reads: "Office of John Emerson, GATT Czar and Earthquake Man."

THE HALF-JOKING TITLE ON THE SCREEN-SAVER may come as close as any to capturing the important, if oddly matched, collection of duties assumed by Emerson, one of the most influential Californians in the Clinton administration. A photo on the wall of the small, high-ceilinged office underscores the presidential source of Emerson's influence. It shows Bill Clinton listening intently to a bit of advice from Emerson. The president autographed the photo: "To John — I think I've got it. Look how plain you're making it."

Emerson, the son of a Presbyterian minister, is politically astute and perhaps a bit more personally ambitious than his earnest and personable manner suggests. Emerson's position as a White House aide was the earned dividend of his successful performance as Clinton's California campaign manager in 1992. Before that, Emerson worked as a key operative in the campaigns of Jerry Brown for the Senate and Gary Hart for president and as deputy city attorney of Los Angeles. His only bid for elective office — so far — was an unsuccessful Assembly race.

"I've done more for my community in my current position, which is appointed, than I ever could have done in six years in the California Assembly," Emerson says.

Emerson has taken on a number of assignments on the White House staff — from deputy personnel director, recruiting and recommending candidates for middle-level jobs, to his current, virtually full-time assignment coordinating the effort to win congressional approval for the GATT world trade agreement. On that task, Emerson is working with another Californian with whom he's slogged through past campaigns, Trade Representative Mickey Kantor. Once Congress returns and acts on GATT at the end of this month, there are reports Emerson may be in for a promotion, perhaps to a pivotal insider's spot as the White House contact for Cabinet secretaries.

But all along the way, he's also been in charge of protecting California's interests in policy decisions in the administration — and assigned to watching out for Clinton's standing in a state that the embattled president must win if he is to stand any chance of being re-elected in two years. "When we have meetings on California issues I'm always there," Emerson says.

Emerson was literally there — in L.A. — on perhaps a dozen trips in the two or three months after the Southern California earthquake. "The president asked me to go out to kind of be his eyes and ears in dealing with the quake," Emerson says in a tone so friendly it hardly sounds like he's dropping the First Name. "It was important to have someone who knows the terrain — knows the political terrain as well. That evolved into serving as the White House point person to coordinate the federal response." By most accounts, Emerson did play a pivotal role, and a successful one, to the extent that the inevitable problems in delivering federal

emergency loans and supplies were short-circuited whenever they arose.

Emerson still manages the post-earthquake effort, although the meetings are far less frequent. "This is probably going to be a two-to-three-year effort," he says. He has also been involved in California issues in Washington that have included defense conversion grants, immigration enforcement and water policy.

Not that Emerson is the only Clintonite watching out for California's interests, or feeling the state's pain, as the president might put it. Californian Tom Epstein is explicitly assigned to watching out for the state in the White House political office. And Californians are so well-represented in Clinton's inner circle that one of the big power plays of recent months was between two of them: Chief of Staff Leon Panetta, the former congressman from Monterey, tried to force out Press Secretary Dee Dee Myers, the former spokeswoman for Tom Bradley and Dianne Feinstein. Myers, one of the few women among Clinton's top aides, appealed to the president and won a reprieve. But word is that Panetta hopes next year to replace her with State Department spokesman Mike McCurry, yet another ex-Californian.

Despite that well-publicized maneuvering, Emerson insists, "This is a remarkable White House staff in terms of its collegiality and camaraderie and really very little of the kind of backstabbing that goes on." And he says that Panetta has brought some discipline to the White House decision-making process. "There is much more of a focus and direction to the way the White House operates," Emerson says. "He's able to keep our eye on the ball."

Asked how Clinton is faring in California these days, Emerson's answer is revealing: At least he's not doing as badly as he is elsewhere. "I think it's going pretty well in California," Emerson says. "While numbers have dropped, his approval ratings are higher than other places. He gets credit for understanding the massive economic changes going on and trying to address those changes."

"George Bush never established a relationship with California," Emerson says. "He left it to Ronald Reagan for eight years and didn't do much for his four [years.] There was a sense a lot of Californians had of being isolated from the administration. One reason [Governor Pete] Wilson has such low approval ratings is people have a sense he doesn't know what went wrong. He's blaming the federal government and this and that. Bill Clinton really understands why the economy has gone south and what is needed to rebuild it."

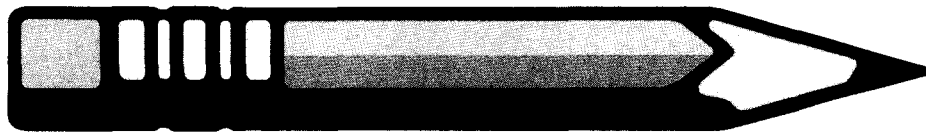
AS FOR HIS OWN PLANS, EMERSON AND HIS WIFE, Kimberly Marteau — she played a "sweathog" on the old "Welcome Back Kotter" sitcom. Very L.A. — have become well-ensconced in Washington's hip Dupont Circle neighborhood with their baby daughter. Emerson insists, "I will definitely go back to California. I love California." But then he pauses and ponders the possibilities if Clinton wins a second term and then....

"Obviously, if it's eight years of President Gore and your kids are in school, you never know...." 

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